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SUFFRAGE LIMITATION IN LOUISIANA

WHEN in 1898, after years of ever-increasing agitation, a Convention was called to frame a new constitution for the state of Louisiana, it was clearly understood by everyone that the main object of the gathering was the elimination of the negro from Louisiana politics. So completely did this consideration absorb the attention of the members of the Convention that men belonging to the best element in that body, men whose motives are vouched for by unimpeachable characters, joined with the less scrupulous in the perpetration of political excesses which today are glaringly evident to the most ordinary mind. These excesses appear in the provisions of the present constitution which extend the patronage of the governor and in those which deal with the suffrage. To discuss the patronage system is no part of the object of this article; but it may be well to indicate the reason for its establishment. In making so large a number of offices appointive by the governor, it was the purpose of the Convention to insure the placing of white Democrats in office in those parishes of the state in which the blacks were very largely in the majority and in which it was conceivable that the suffrage provisions might fail to attain the end desired.[1] The extension of the governor's patronage, accordingly, was a measure subsidiary to the restriction of negro suffrage. It is to the suffrage article, the circumstances of its

[1] In St. Charles Parish, for example, the registration of 1896 showed 1671 colored voters, of whom 504 were literate, against 558 white voters, of whom but 291 were literate.

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framing and passage, and the motives that actuated the Convention in its adoption, that our attention will be devoted.

It is necessary to recognize, at the very outset, that the colored inhabitants of Louisiana between 1868 and 1898 must be divided into two classes—negroes and negro politicians. We must recognize also two standpoints from which these classes must be viewed, the moral and the political. From a moral standpoint the negro, on the average, was a good citizen; the negro politician, vile. From a political standpoint both were bad, because in politics the negro was dominated by the negro politician. To those who know nothing of this lower type of negro that once flourished all over the South, experience with the white professional politician, a knowledge of his aims, his motives and the extent of his scruples, will give some idea of the moral depths to which members of a previously degraded race would sink, when presented with opportunities and impelled by motives similar to those which combine to create the lowest type of the white professional politician.

It was with the object, then, of eliminating as large a proportion as possible of the negroes, without a like sacrifice of white citizens, that the suffrage article was framed. This task was committed by the Convention to a suffrage committee of twenty-five. Forty-six days intervened between the naming of the committee and the final passage of the article. During these weeks there was a lively discussion of the topic throughout the state. From time to time drafts of a plan would be given out by the committee, only to be modified and remodified again and again, every new project being greeted with a literal storm of comment, most of it in the form of a howl of disapproval, and everybody disapproving for a different reason. In an editorial of March 4, 1898, the New Orleans *Times-Democrat* summed up the situation pretty accurately. After speaking of the numerous plans already proposed (one the day before), strongly condemning them all and predicting that the work would take several weeks, the editorial went on to say:

> The chief reason of this failure lies in the fact that the suffrage committee has tried to do too much—has attempted the impossible.

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It has aimed at placing every white voter on the poll lists and keeping out nearly every negro, without violating the federal constitution. The result has been to make too many conditions and exceptions and to create too many classes of voters.

To make this comment intelligible, it is necessary to explain briefly just what had been done by the committee up to this time. It may also be well to attempt, at this point, a broad classification of the members of the Convention, on the basis of the motives that prompted them, into three groups—the professional politicians, who were pursuing their own interests; the well-meaning members, who were considering the best interests of the state; and a small group which was seeking the elimination of the negro voter simply because he was a negro. This classification will be reëxamined in detail further on, and an attempt will be made to estimate the relative proportion of the three groups in the Convention; but the rough outline just given is necessary for a comprehension of the suffrage article as it appeared when the *Times-Democrat* criticized its many "conditions," "exceptions" and "classes of voters." The article provided that men might vote:

(1) Under an educational qualification.

(2) Under a property qualification ($300).

(3) Because their wives had property.

(4) Because their minor children were property-holders.

(5) Because they were registered in 1868.

(6) Because, while not registered in 1868, they might have been if they had thought it worth while.

(7) Because their ancestors were either registered in 1868 or might have been.

(8) Because of naturalization prior to the adoption of the new constitution.[1]

Let us take up these sections one by one, note the circumstances and motives behind the introduction of each section into

[1] In the article as drafted, class 1 appeared in section 3; classes 2, 3 and 4 appeared in section 4; and classes 5, 6, 7 and 8 in section 5. In what follows I take the liberty of referring to each of the classes as if it were provided for in a separate section as numbered in the above tabulated list.

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the article, and thus see in the interest of which of the three groups in the Convention it was intended to operate.

(1) The educational qualification, of course, was used as a first general means of disqualifying a large proportion of the negroes. To a few members of the Convention this one discriminating qualification seemed sufficient. The great majority, however, found it inadequate. It did not satisfy the majority even of those who wished to eliminate the negro voter because they thought this for the best interest of the state; for, in view of the large number of illiterate whites, it was thought that the proportion of white voters to colored voters would not be large enough to serve the purpose. It did not satisfy the negro-hater, because it did not eliminate all the negroes. Nothing could have satisfied this small class short of a violation of the federal constitution. It did not satisfy the politician, because it eliminated too many whites, and these of precisely the class that best served his purposes.

(2) Almost everybody, then, favored the introduction of a second qualification, the owning of property to the value of $300. It is clear, of course, that those who were dissatisfied with the number of negroes entitled to vote under the first qualification remained dissatisfied with the entire article, because the seven additional qualifications could only add to the number of voters; but the property qualification satisfied almost all the rest of that group of members whom we will henceforth designate as the "better element" in the Convention, who feared that the educational qualification had eliminated too large a number of whites. The professional politicians, however, were far from satisfied.

(3) and (4) To the direct property qualification was therefore added, wholly in the interest of the politicians, the provisions in favor of men whose wives or minor children owned property to the value of $300.

(5) and (6) We have said that almost the entire better element was satisfied with sections 1 and 2, and desired no additional qualifications. There were, however, some in this group who, from motives purely sentimental, were unwilling to see Confederate veterans disfranchised because of illiteracy or

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poverty. To satisfy this sentiment, it was further provided that anyone might vote who had registered prior to 1868 or who possessed the necessary qualifications for registering at that time.

(7) This section, which followed close upon 5 and 6, is the famous "grandfather clause." This "clause" consists of three or four unpretentious words in section 5 of the suffrage article as finally passed through the Convention, seemingly as an unimportant addition to what preceded. At first sight, it appears to be only an extension of the sentimental sections, 5 and 6, providing for Confederate veterans, to the descendants of such veterans; but in fact it was largely a device of the politicians to add to the number of illiterate white voters.

(8) This section, which secures the right of voting to all foreigners naturalized prior to the adoption of the constitution, was introduced wholly in the interest of the ward politicians of New Orleans. No provision in the article raised so great a storm of opposition all over the state as did this one. It seemed to have the effect of opening the eyes of a large number of the public, who were satisfied up to this point, to the significant part professional politics was playing in the Convention. It was intended to qualify the large number of illiterate and poor Italians who had settled in the down-town wards of New Orleans, where they were entirely under the control of the ward bosses. The plan was to naturalize the entire batch and rush them to the registration office before the day of the final adoption of the constitution.

This then is the suffrage article as it appeared on March 4. Now arises the question: In whose interest mainly was it framed? The answer will be the same as to the question: What element dominated the Convention? On the basis of motive in eliminating the negro voter, I have divided the Convention into three classes. On the basis of interest subserved in the framing of the article, only two classes, the professional politicians and the better element, seem to have exercised an appreciable influence. All the eight sections serve the purpose of the professional politicians, which was to secure as large an illiterate white vote as possible without admitting the negroes to the suffrage. Of the eight sections only the first two were neces-

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sary to serve the purpose of the better element, while the other six worked directly against their object, which was to secure as large a deserving white vote as possible, by reason either of educational or property qualification, and to eliminate as large a proportion of the negro vote as possible. In the light of more recent events, it cannot be questioned that, with the Democrats once in power, these educational and property qualifications, worked as they are today, are adequate to insure a white majority in every parish in the state. The other six, then, are introduced mainly to add to the number of white voters of that class best fitted to serve the interests of the professional politician.

This gives us an indication of the proportion of the two elements in the Convention. I had hoped, at first, to be able to make an actual count of the members of the Convention, taking up each member individually and determining from personal study the class to which he should be assigned, and thus to give the size of these two classes in definite figures. After considerable work along these lines, I was compelled to abandon this hope. Any figures given could have been attacked by anyone making a similar study, and neither I nor he would have been able to maintain the grounds on which judgments in individual cases were based. The Convention is too recent an event. Almost all the members are alive today. The discussion of a large number of individual cases, which would be necessary in giving the grounds on which definite figures were based, would inevitably assume too personal a character. On the basis, however, of the knowledge gained by a partial investigation of the character above indicated,[1] together with a tolerably close study of the proceedings, I do not hesitate to assert that at least 60 per cent of the Convention worked in the interests of professional politicians—with what success, I have already shown. How far the suffrage article failed to satisfy the better element

[1] Of 134 members I obtained information regarding 69, leaving 65 doubtful. Of the 69, 50 were politicians and 19 not. Knowing that I should be more apt to learn of the politicians by reputation than of the non-politicians, I gave the latter a larger percentage of the doubtful, 35 to 30. This brings the total to 85 politicians and 49 non-politicians; in percentage, 63 to 37.

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and the intelligence of the state outside the Convention, may be gathered from some of the bitter editorials published in representative journals. Some of these can be found in the New Orleans *Picayune* of March 13. The New Orleans *Times-Democrat* has this comment: "Here we have eight different classes of voters, with every possible trick and combination utilized save the understanding clause." A few days later, when two other classes had been added (one of them very desirable, *viz.* the woman property voter on certain questions), the same journal said:

In the other states of the Union, all voters hold their electoral franchise by the same law and title, and under the same conditions. It remains to the suffrage committee of the Constitutional Convention to create some more classes of voters, each enjoying the franchise under a different title, under different conditions, and because of different qualifications.

(1) The educated voter, that is, the voter who can read and write. He is the only one in the entire batch, except the woman voter, who is not illiterate.

(2) The property voter, illiterate, but worth $300.

(3) The squaw voter (wife worth $300).

(4) The papoose voter (children worth $300).

(5) The 1868 voter.

(6) The could-have-been voter—the fellow who might have voted in 1868 but did not think it worth while.

(7) The hereditary voter.

(8) The privileged "Dago" voter.

(9) The woman property voter (on certain questions only).

(10) The woman proxy voter.

I have quoted the above passage from the *Times-Democrat*—this journal and the *Picayune* being the largest, most reputable and most influential in the state—to bring out more clearly the fact that the suffrage article, in the slightly modified form in which it was finally passed through the Convention, was the work of professional politicians, and that only two sections were generally favored by the better element in the Convention and in the state.

The question immediately arises: How then is the support of

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this article by the *Picayune* to be explained without classing that journal outside the better element? The explanation is simple. I have placed the proportion of politicians in the Convention at 60 per cent and the better element at 40 per cent. Now when the vote came to be taken on section 5 of the final plan, which embraced sections 5, 6, 7 and 8 of the plan as I have formulated it, we find the section carried in the Convention by a vote of 85 to 45. If my estimate of the strength of the different groups is correct, it appears that some five per cent of the better element voted with the politicians. This is just what happened. Now the attitude of the *Picayune* was exactly that of this small proportion of the better element. That they were conscientious in their vote, I am led to believe by my knowledge of the men themselves. Their sentiments were reflected in the editorials of the *Picayune*. They held that, while the position of the majority of the better element was sound as far as applied to New Orleans, a larger enfranchisement of the whites than was provided for in the educational and property qualifications was necessary to insure a white majority in many of the country parishes. There was also a large element in the population of Louisiana known as the French Acadians. They were among the oldest inhabitants of the state, and they had fought bravely in the Civil war; but the precentage of poverty and illiteracy among them was extremely high. The minority of the better element deemed it unjust to deprive these citizens of the ballot.

This explains the support of the *Picayune* and of the five per cent of the better element who voted with the politicians. But the majority of this element, represented by the *Times-Democrat* and similar journals all over the state, while not attempting to conceal the fact that they wanted the negro disfranchised, did not desire any such wholesale enfranchisement of illiterate whites as is the object and effect of section 5.

This leads us to a consideration of the attitude of the Convention toward the negro. Here again we have to analyze the position of our three classes, the professional politicians, the better element, and the very small class drawn from both, the natural negro-haters.

We have seen that the politicians were in the majority. Their

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attitude toward the negro was wholly determined by selfish political interests. In the negro they saw only a possible voter whom they could not utilize on account of his traditional adherence to the Republican party. Though in a minority in the state, this party, with the negro vote, was large enough to prove a menace to the professional Democrat, that type of Democrat who in Pennsylvania would be a Republican. Only two years before the Convention, 1896, and again eight years before, in 1888, the ward bosses of New Orleans had been put out of power by a reform movement which, by fusion with the Republicans, had utilized this vote. No feeling toward the negro, as a negro, constituted any part of the motives of the professional politicians. If the majority of the negroes in the state had voted the Democratic ticket, the politicians would have fought to the last ditch against any attempt to disfranchise the negro.

The better element in the Convention wanted the negro disfranchised because in him they saw an aid rather than a hindrance to the professional Democrats. This element was trying to secure good government for the state, such government as they could not hope to get under the rule of the professional Democratic politicians. They saw that the only means of attaining this end was by white opposition to the professionals. Such opposition was impossible on account of the bugbear of negro domination set up by the politicians at the least suggestion of a split in the white Democratic ranks. They well knew the potency of that cry to hold the white Democrats within their ranks. Only in New Orleans, where the percentage of intelligence was higher and the negro vote smaller, did this cry fail to have its effect. There, reform movements could win. A reform movement embracing the entire state was seen to be an impossibility so long as the negro remained a factor in politics. The better element, then, wanted the negro disfranchised in order that a white opposition, if not open, at least potential, might serve as a check to the professional politicians throughout the state, with even a possibility of their overthrow and the substitution of a better class of political leaders.

Perhaps ten per cent of the Convention—after a close study of its personnel and proceedings, I put this as the highest pos-

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sible estimate—were opposed to the negro simply because he was a negro. Their feelings toward the negro were the result of temperament, intensified by education and tradition. This was such a class as would inevitably arise in any society placed in similar circumstances and inheriting similar traditions. Perhaps the greatest injustice done to Southern legislators by their Northern critics lies in the latters' overestimation of this class in their analysis of the motives of negro disfranchisement.

It is not necessary to go further into the subsequent proceedings of the Convention in adoption of the suffrage article. Its formal presentation was followed by sixteen days of debate and reconsideration. During the first three days the discussion was particularly hot and, at times, acrimonious. The woman proxy voter, the squaw voter and the papoose voter were eliminated. The naturalization provision was changed, fixing the time at January, 1898, instead of the adoption of the constitution; and a poll tax requirement was added. We need not go into the warm discussion of the poll tax that occupied a good part of the Convention's time, because the lines that divided the Convention on this subject were differently drawn from those that marked off the opposing parties in their attitude toward the other provisions.

This review of the passage of the suffrage article in the Constitutional Convention of 1898 brings out clearly several points that it may be well to emphasize in closing. In the first place, it corrects the erroneous notion that exists in many minds that the disfranchisement of the negro in the South is the result of a prejudice against the negro as a negro. How far this may be true in other states, I am not prepared to say; but my study of motives in the Constitutional Convention of Louisiana has convinced me that in that body ten per cent is a large estimate of the class who were controlled by this motive.

Another thing that needs to be borne in mind is that only the first two qualifications, with the possible exception of that which was to operate to the benefit of Confederate veterans, were in conformity with the ideas of the majority of the better element in the Convention, the others being devices of the politicians. It must also be borne in mind that none of the sections added in

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the interest of politicians disfranchises anybody; they enfranchise a few negroes and many whites. Important in this connection is the fact that the so-called "grandfather clause" is only one of the devices which do not disfranchise anyone. If a negro can satisfy the commissioners that he possesses the requisite educational qualification, or can prove that he owns $300 in property, or that he was a foreigner naturalized prior to the year 1898, he can vote in Louisiana regardless of the status of his ancestors. Moreover, if he can show that one of his ancestors was entitled to the franchise in Louisiana prior to 1868—as some of them have done, the ancestor having been a white man—he cannot be denied a franchise today.[1] If anyone chooses to regard this distinction between disfranchising some persons and enfranchising other persons as a distinction without a difference, he is at liberty to do so, but it is well to bear the distinction in mind.

At any rate, it is only fair to the better element of the white citizens of Louisiana to recognise their true position in regard to section 5 of the suffrage article, the circumstances and motives that gave rise to it, who favored it and in whose interest it was meant to operate. It must also be borne in mind that the larger part of this element in Louisiana would like to see it and kindred clauses stricken from the Constitution, because the repeal would not add a single colored voter to the registration list and would eliminate part of the undesirable illiterate vote. The percentage of white literacy in Louisiana is increasing fast, and is high enough all over the state to render the votes of illiterate whites, if they were ever necessary, now unnecessary to insure white supremacy in Louisiana politics.

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[1] Legitimacy constitutes no part of the requirement, since natural children are recognized in the Louisiana law.

SUPPLEMENTARY NOTE.—The following statistics, taken from the Louisiana official reports published by the secretary of state, illustrate conditions prior to the adoption of the present constitution and the effect of its provisions regarding the suffrage.

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I. VOTERS REGISTERED IN 1896 AND IN 1900: COLOR

	White	*Colored*
1896	152,267	127,263
1900	125,437	5,354

II. VOTERS REGISTERED IN 1896: LITERATES AND ILLITERATES

	White	*Colored*
Literate	123,960	31,587
Illiterate	28,307	95,876

III. VOTERS REGISTERED IN 1900: QUALIFICATION

	White	*Colored*
Under educational qualification	86,157	4,327
Under property qualification	10,793	916
Under section 5	28,487	111

The figures for whites registered under section 5 are greatly swelled from the fact that many white politicians, educated and property holders, registered under this section to give it an air of respectability for those who could register under no other. The figures in Table II show that if an educational qualification alone had been provided, 28,307 whites and 95,876 blacks would have been disfranchised, leaving the whites a majority of 92,373 in the state. Below are given the figures for those parishes where the percentage of white illiteracy was highest:

IV. VOTERS REGISTERED IN ACADIA PARISH IN 1896

	White	*Colored*
Literate	1,594	96
Illiterate	1,163	545

V. VOTERS REGISTERED IN ASSUMPTION PARISH IN 1896

	White	*Colored*
Literate	1,385	606
Illiterate	1,141	1,861

VI. VOTERS REGISTERED IN ST. CHARLES PARISH IN 1896

	White	*Colored*
Literate	291	504
Illiferate	267	1,167

VII. VOTERS REGISTERED IN WEST BATON ROUGE PARISH IN 1896

	White	*Colored*
Literate	486	430
Illiterate	282	1,443

In the two last-named parishes, the negroes were in the majority. St. Charles was the only parish in the state where the literate negroes were in the majority. In West Baton Rouge the educational qualification alone would have given the whites a majority of 38. That is, 20 white literate Republicans in this parish would place the negroes in the ascendancy. The following tables show the result in these parishes four years later, the constitution of 1898 having been put into operation in the meantime:

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VIII. VOTERS REGISTERED IN ACADIA PARISH IN 1900

	White	*Colored*
Under educational qualification	1,319	6
Under property qualification	511	5
Under section 5	314	0
Total	2,144	11

IX. VOTERS REGISTERED IN ASSUMPTION PARISH IN 1900

	White	*Colored*
Under educational qualification	510	132
Under property qualification	42	25
Under section 5	1,152	0
Total	1,742	157

X. VOTERS REGISTERED IN ST. CHARLES PARISH IN 1900

	White	*Colored*
Under educational qualification	350	13
Under property qualification	16	1
Under section 5	700	0
Total	1,066	14

XI. VOTERS REGISTERED IN WEST BATON ROUGE PARISH IN 1900

	White	*Colored*
Under educational qualification	365	3
Under property qualification	89	9
Under section 5	63	0
Total	517	12

A comparison of Tables IV–VII with Tables VIII–XI throws much light on the working of the new constitution.

	Literate Negroes, 1896	*Negroes registered under educational qualification*, 1900
Acadia	96	6
Assumption	606	132
St. Charles	504	13
West Baton Rouge	430	3
Total	1,636	154

That is, 1482 negroes in these parishes, classed as literate in 1896 and who could have registered under the educational qualification, failed to do so, only 154 taking advantage of their literacy. The fact is that most of them had a vague idea that the recent constitution had disfranchised them, and that they could not vote because they were negroes. In addition to this, the failure to pay the poll tax provided for in the new constitution disfranchised a large number. The professional politicians paid those of a large number of the illiterate whites whose votes they controlled. For the entire state the figures are: 31,587 negroes registered as literate in 1896, and 4,327 registered under the educational qualification of 1900, leaving a difference of 27,260.

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CANADIANS IN THE UNITED STATES

TWO centuries ago, when the United States was not yet a dream of the future, the pioneers of the American West, the French Canadian *coureurs de bois*, opened up the western trade routes from Hudson's Bay to Louisiana and laid the first foundations of a line of great cities. Among these may be named Detroit, Sault Ste Marie, Chicago, St. Paul, Pittsburgh and New Orleans. That chapter is, however, long since closed except for the faint traces of race occasionally still noticeable on the Mississippi. As regards population, the debt was more than repaid after the peace of 1783, when Loyalists founded Upper Canada and New Brunswick and settled the eastern townships of Quebec. For the subject in hand we come down to much nearer years, of which we have more or less exact information, and run our eye not further back than a few years before British North America became the Dominion of Canada.

During the half century ending in 1900, then, one finds that at least one million eight hundred thousand Canadians moved across the border into the United States. This exodus is one of the notable facts in Canada's history. For a time it dismayed a large section of the Canadian people, bringing them almost to despair of their political future. But the country is now attracting population alike from Europe and the United States. Its progress is one of the important events in the recent history of the new world. Accordingly it will be of interest to look back and review briefly the great Canadian exodus, the localities the emigrants have selected for their new homes, the occupations they are following, and their intermarriage with citizens of the United States.

The whole topic of the movement of populations is, indeed, instructive. It tells the life-story of a people. It is history in a nut-shell, an epitome of conditions. Migrations reflect in a measure the course of affairs at home and in some respects rela-

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tions between countries as well. Occasioned at times by mistaken notions, by imperfect knowledge, they may well be, but they are rarely wholly blind; and whatever may be their causes, they offer much to interest and to instruct. Those that have taken place in modern times appear to differ from those of centuries ago. In ancient times whole peoples, entire tribes, pushed and pressed from east to west in search of fresh lands. It was in this way that nationalities in Europe were formed. Later on, in the middle ages, when life had become more settled, particular classes only wandered widely: knights on crusades or on chivalrous errands, journeymen craftsmen, jugglers, minstrels and merchants. At present, if there be any rule, it is that, irrespective of class, migrations have come to be a matter of private concern. We see individuals and single families changing their homes. A great variety of motives are operative; but through them all runs one common characteristic—the desire to secure a better market for abilities. The nation of origin loses a certain amount of energy which would have been spent in developing its resources; the individual gains what he regards as a better chance.

Levasseur, the French geographer and economist, has attempted to formulate a law of migration. He points out that, as in the world of matter, the bigger the mass the greater the force of attraction. This is only another way of saying that people flock to the cities and generally seek out the largest market for their labor. This law, if law it may be called, must be stated guardedly, since a densely populated country, for example, may more often repel than attract. It will suffice perhaps to say simply that migration is the attempt to adjust population to opportunity—a process of adaptation, a phase of industrialism.

Geographical influences on shiftings of population must not be lost sight of. Climate counts. Though the point has not yet been proven, there is much to support the view that, apart from economic considerations, Northern peoples tend to be more mobile than Southern. Not that winter drives the Northerner into exile. If one enjoys a fair measure of health, few delights are keener than the feelings of exhilaration and the sports of a northern, let us say of an average Canadian winter. The ting-

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ling climate and the stimulating procession of the seasons spur one into habits of vigorous action. As for Canadians, travellers tell us they find a sprinkling on every continent. In England and Wales, for instance, there are nearly 19,000; in Australia over 3,000; nearly 1,500 in New Zealand; and in Alaska 2,000 more.

The migration of Canadians to the more developed market of the United States is of two kinds, temporary and permanent, the one shading imperceptibly into the other. Temporary migration fell away sharply with the coming of settled industrial conditions in the republic; but in spite of "alien labor" laws they are still important along the border and in such centers as New York, Boston, Pittsburg, Chicago and San Francisco.

In 1900 there were 10,356,644 foreigners who had become domiciled in the United States. Of these 1,181,255, or 11.4 per cent, were Canadian-born. Out of this number 785,958 were "English" and 395,297 were French Canadians. By "Canadian" the census always means "born either in Canada or Newfoundland" although Newfoundland is not yet part of the Dominion. In estimating the number of Canadians we must take it into account that many British-born Canadians, after living in Canada for a number of years, have moved south and have been enumerated there as British, not as Canadians. One may hazard the estimate that their number is one-eighth of that of the Canadian-born, English-speaking immigrants, *i. e.* 100,000. With 450,000 children born in the United States of these Canadian parents the total thus becomes 1,731,000; 995,000 (57 per cent) being "English" and 736,000 (43 per cent) French Canadians.[1] There is still another group of 813,350 who have one Canadian-born parent. But in fairness these cannot be called Canadians and may therefore be left out of count. An allowance, however, will have to be made for the many other Canadians by birth, who, report has it, prefer to report themselves as British and are so enumerated. They bring the grand total up to at least 1,800,000 Canadians at present living in the

[1] To allow a contrast with these percentages it is to be noted that in Canada the French Canadians form 30.7 per cent of the total population.

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United States, that is one-third of the population of the Dominion as it stood in 1901.[1]

But how may one estimate the number of those who have emigrated to the United States during the last fifty years? The census gives a return showing the decennial increase in the number of foreigners. We may assume the average age of the Canadian immigrants to be twenty-five years. Using then an ordinary mortality table, we may calculate the number of those from each decennial increase who should be living to-day:

Decade	Canadian Emigrants to U. S., according to U. S. Census	Alive 1900 according to Mortality Table
1850–60	102,200	41,786
1860–70	243,000	153,710
1870–80	224,000	175,054
1880–90	264,000	233,426
1890–00	200,000	193,132
	1,033,000	797,108

These figures mean that an immigration of 1,033,000 persons yields a present population of 797,108. The problem is to know how many are necessary to produce the present population of 1,800,000 less their 450,000 children. This number we find to be 1,750,000. Adding the 450,000 children the grand total loss of population to Canada is found to be 2,200,000 for the half century, one and three-quarters or more millions being lost directly, the balance through immediate natural increase. Of the 2,200,000 the "English" compose approximately 1,200,000, the French approximately 1,000,000.

Every adult costs his native country at least $1000 to nourish and educate. So, after making allowance for the 100,000 of British birth and education, Canada may be said to have invested in the American Republic living capital assessable at $1,650,000,000—a sufficiently severe drain on a young nation! This enormous loss Canada has withstood, although at the same time it has been steadily carrying on extensive public works. It makes one marvel at the recuperative power of young, fertile countries. The loss amounts to half Mr. Giffen's estimate of the

[1] If we include those with one Canadian parent the sum total would be upwards of 2,600,000, one million of these being French, the balance "English" Canadians.

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crippling burden placed on France by the Franco-Prussian war. There is a contra account, of course, for United States emigration into Canada. The Canadian census of 1901 places their number at 127,899. At $1000 per head this means $128,000,000, or, with an additional allowance of one-third for the years back to 1850, $170,000,000, which is about 10 per cent of Canada's loss.

Canadian emigration to the United States has been remarkably constant. The United States census records periodical increases for the previous ten years of 102,259 in 1860; of 243,494 in 1870; of 223,693 in 1880; of 263,781 in 1890, and of 200,317 in 1900. The largest exodus from Canada seems to have occurred therefore during the ten years 1880–90, or perhaps more precisely 1875–85. The steady flow has resulted in Canadians constituting a growing percentage of the whole body of foreigners in the United States. In 1850 they formed 6.6 per cent of all foreigners; in 1860, 6 per cent; in 1870, 8.9 per cent; in 1880, 10.7 per cent; in 1890, 10.6 per cent; and in 1900, 11.4 per cent. The increase, as the following table shows, is paralleled by the Scandinavians alone. Between 1850 and 1900 the percentage of Germans amongst the foreign-born fell slightly—from 26 to 25.8 per cent; of Irish, from 42.8 to 15.6 per cent; of British, from 16.8 to 11.3 per cent; but the percentage of Scandinavians jumped from .9 to 10.3 per cent; and that of Canadians from 6.06 to 11.04 per cent. The relative increase of Canadians, even between 1890 and 1900, is marked, as the following table shows:

INCREASE OF CANADIANS IN THE UNITED STATES, 1890–1900

	1890	1900	NUMBER	PER CENT
English Canadians . . .	678,442	785,958	107,516	15.8
French Canadians . . .	302,496	395,297	92,801	30.7
Total	980,938	1,181,255	200,317	20.4
Swedes (next highest) .	478,041	573,040	94,999	19.7
Foreigners generally . .	9,249,547	10,356,644	1,107,097	12.0

The United States immigration statistics give only 3,064 Canadians as settling in that country between 1891–1900; but the census returns show these figures to be entirely astray. In fact the insuperable difficulties in the way of counting people who enter the States by way of Canada make the United States

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annual returns of Canadian immigrants unreliable, and of late years the attempt to compile them has been abandoned. The official immigration figures may be worth giving, however, for purpose of comparison with other nationalities.

IMMIGRANTS TO THE UNITED STATES

	1821–1900	PER CENT	1891–1900	PER CENT	1881–1890	PER CENT
Aggregate	19,115,221	100	3,687,564	100	5,246,613	100
Canada & Newf'l'd	1,049,939	. .	3,064	.1	392,802	7.5
Ireland	3,871,253	. .	390,179	10.6	655,482	12.5
Great Britain	3,024,222	. .	270,019	7.3	807,357	15.4
Germany	5,009,280	. .	505,152	13.7	1,452,970	27.7

	1871–1880	PER CENT	1861–1870	PER CENT	1851–1860	PER CENT
Aggregate	2,812,191	100	2,314,824	100	2,598,214	100
Canada & Newf'l'd	383,269	13.6	153,871	6.7	59,309	2.3
Ireland	436,871	15.5	435,778	18.8	914,119	35.2
Great Britain	548,043	19.5	606,896	26.2	423,974	16.3
Germany	718,182	25.6	787,468	34.0	851,667	36.6

General Distribution of the Canadians

And now as to the localities chosen by Canadians for their new home. Of the "English" Canadians 88 per cent are divided equally between the North Atlantic and the North Central states, 10 per cent are in the West, 2 per cent in the South. The North Atlantic section will include a large number of "Blue Noses" (Nova Scotians and Brunswickers); though, as Mark Twain hints with his "wise old Nova Scotian owl" in *Tramp Abroad*, many a Nova Scotian miner is to be found in the mining camps of the West. Of the French Canadians 77 per cent live along the Atlantic, nearly three-fourths of these being found in seven cities, Manchester, N. H., Fall River, Holyoke, Lowell, New Bedford, Worcester and Lawrence, Mass. Upwards of 20 per cent are in the North Central regions, less than 3 per cent in the West and less than 1 per cent in the South. The small percentage of Canadians in the Southern states (2 per cent of the "English," 1 per cent of the French), hardly does justice to the cordiality between Southerners and Canadians which is dated from the time of the Civil war. The two maps that accompany this article reproduce from the census atlas the general distribution, numbers or density being indicated by the depth of shading.

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DIVISION OR STATE	"ENGLISH" CANADIANS	FRENCH CANADIANS	TOTAL
NORTH ATLANTIC STATES	345,342	305,160	650,502
Massachusetts	158,753	134,416	293,169
New York	90,336	27,199	117,535
Maine	36,169	30,908	67,077
Vermont	10,616	14,924	25,540
Pennsylvania	13,292	1,468	14,760
SOUTH ATLANTIC STATES	6,284	636	6,920
Florida	1,014	88	1,102
Maryland	1,143	87	1,230
Virginia	1,026	104	1,130
NORTH CENTRAL STATES	345,304	77,019	422,323
Michigan	151,915	32,483	184,398
Illinois	41,466	9,129	50,595
Ohio	19,864	2,903	22,767
North Dakota	25,004	3,162	28,166
South Dakota	5,906	1,138	7,044
Minnesota	35,515	12,063	47,578
Wisconsin	23,860	10,091	33,951
Kansas	7,053	1,485	8,538
SOUTH CENTRAL STATES	8,802	1,460	10,262
Texas	2,549	400	2,949
Oklahoma	1,248	179	1,427
Kentucky	1,072	136	1,208
Louisiana	781	253	1,034
Arkansas	932	161	1,093
WESTERN STATES	79,089	10,791	89,800
California	27,408	2,410	29,818
Washington	18,385	1,899	20,284
Montana	10,310	3,516	13,826
Colorado	8,837	960	9,797
Oregon	6,634	874	7,508
Idaho	2,528	395	2,923
Utah	1,203	128	1,331

It is to be remembered that, if regard is had to British Canadians and children of immigrant Canadians, the numbers in each of these divisions may probably be safely increased one-half.

Canadians in United States Cities in 1900

It is usually taken for granted that most Canadians go to the great commercial centers. The reverse is the case. Over half are to be found in the country and in the smaller towns. Only 40 per cent of the "English" and 37.7 per cent of the French

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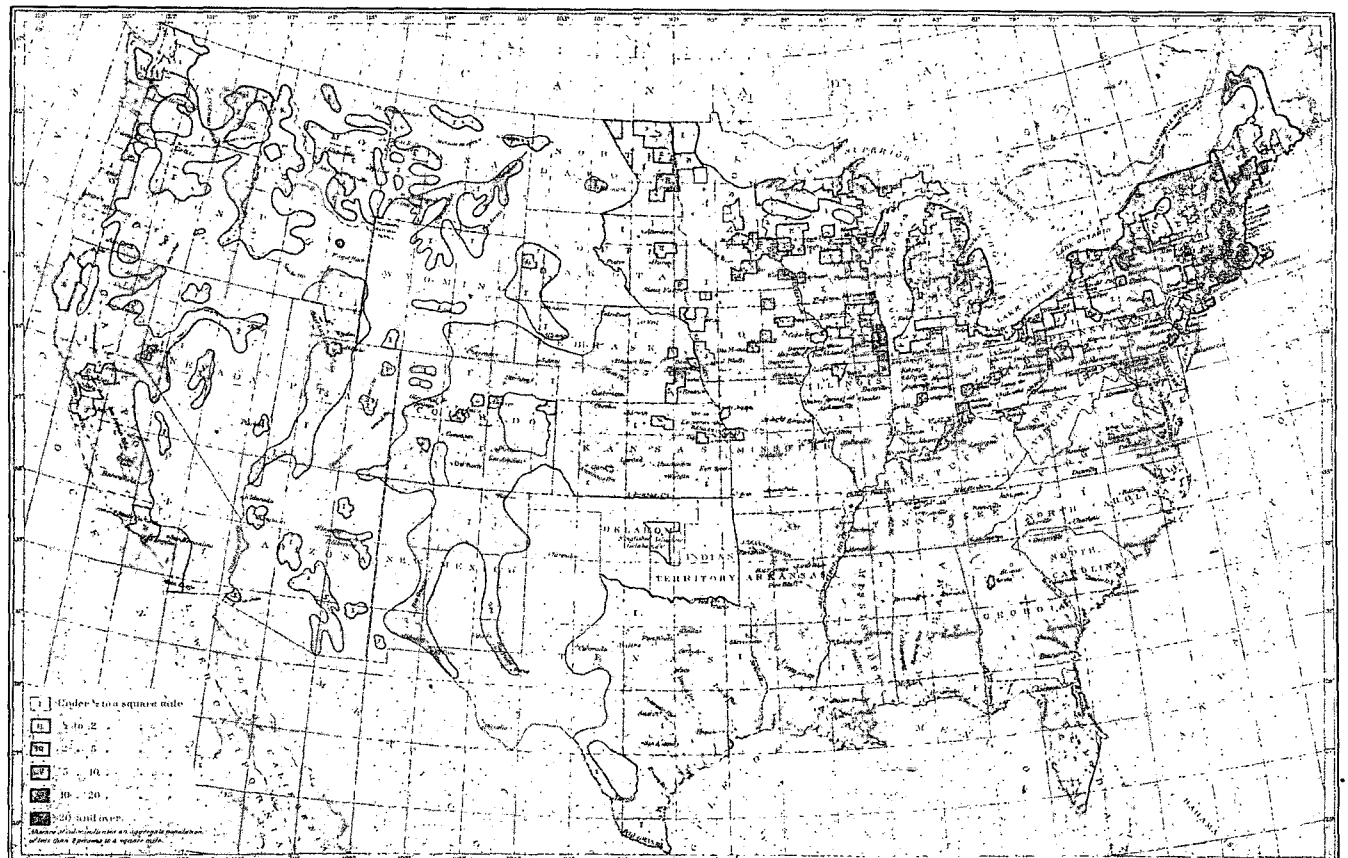
Under 2 to a square mile
2 to 6
6 to 10
10 to 20
20 and over
Absence of color indicates an aggregate population of less than 2 persons to a square mile.

1. DENSITY OF THE DISTRIBUTION OF THE NATIVES OF CANADA AND NEWFOUNDLAND: 1890

(Absence of color indicates an aggregate population of less than 2 persons to a square mile and therefore demarcates the desert lands of the United States.)

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2. PROPORTION OF THE NATIVES OF CANADA AND NEWFOUNDLAND TO THE AGGREGATE POPULATION: 1890.

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Canadians live in the 160 largest cities, that is, in cities with 25,000 or more population. I give here a selection of cities that have the largest Canadian constituencies. But, as already pointed out, the British Canadian and pure Canadian stock would probably raise the number in each city fifty per cent.

City of Residence, 1900	English Canadians		French Canadians		Total Number of Canadians	Estimated Number of Pure Canadian Stock
	Number	Being per cent of Foreigners	Number	Being per cent of Foreigners		
Boston	47,374	24	2,908	1.5	50,282	65,000
Cambridge	9,613	31.5	1,483	4.9	11,096	16,000
Chicago	29,472	5	5,307	.9	34,779	55,000
Detroit	25,403	26.3	3,541	3.7	28,944	45,000
Buffalo	16,509	15.8	733	.7	17,242	30,000
New York	19,399	1.5	2,527	.2	21,926	38,000
Jersey City	907	1.6	134	.2	1,041	1,500
Newark	802	1.1	160	.2	962	1,300
Paterson	385	1.0	174	.5	559	800
Cleveland	7,839	6.3	772	.6	8,611	13,000
Philadelphia	2,989	1.0	294	.1	3,283	5,000
Cincinnati	928	1.6	103	.2	1,031	1,500
Rochester	7,746	19.0	553	1.4	8,299	12,000
Lowell	4,485	11.0	14,674	35.8	19,159	30,000
Worcester	3,163	8.4	5,204	13.8	8,367	12,000
Fall River	2,329	4.6	20,172	40.3	22,501	33,000
Providence	3,882	6.9	3,850	6.9	7,732	11,000
New Haven	754	2.4	416	1.3	1,170	1,700
Minneapolis	5,637	9.2	1,706	2.8	7,343	11,000
St. Paul	3,557	7.6	1,015	2.2	4,572	6,800
Milwaukee	1,687	1.9	217	.2	1,904	2,800
St. Louis	2,151	1.9	339	.3	2,490	3,600
Pittsburg	994	1.2	79	.1	1,073	1,500
Washington, D. C.	809	4.0	97	.5	906	1,300
New Orleans	310	1.0	85	.3	385	600
Louisville	365	1.7	45	.2	410	600
San Francisco	4,770	4.1	429	.4	5,199	8,000

The proportion of farmers among the Canadians in the United States is shown by the following figures. The census accounts for 367,170 Canadian families, 207,580 of these being "English" and 159,590 French. 24 per cent of the "English," and 16 per cent of the French families live in farm houses. That such a large percentage lead a rural life is a remarkable fact when one considers that Canada is itself so largely an agricul-

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tural country. The history of this interesting exodus, indeed, remains yet to be written. On the whole, if we contrast the two Canadian races, there are proportionately more French Canadians in the smaller towns, proportionately more "English" Canadians carrying on farming or living in the large cities.

The Occupations of Canadians

A comparison of the occupations of Canadians in the United States and in Canada, respectively, brings home the significance of the migration and sets it in a new light. The census takes note of 819,264 Canadians ten years of age or over. 40 per cent of these are engaged in manufacturing; 30 per cent in personal service; between 17 and 18 per cent in trade and transportation; about the same percentage in agriculture; and somewhat over 4 per cent in professions. The percentage in the professions is approximately the same as that of the native-born white population in the United States. The large numbers as compared with the number left behind following the same occupations, as shown in the table below, throw light on conditions in Canada; for example, the number of expatriated Canadian teachers and college professors, lawyers and clergymen. Curious is the number of Canadians as government officials, soldiers and marines, as is also the great number of Canadian girls of a superior class who have gone to the United States as nurses. Rumor has it that many of these are enumerated as Americans "from northern New York"—for which a wag might say there is geographically a show of reason.

Of the 300,000 Canadians engaged in business or following professional pursuits in the United States many hold prominent posts. Indeed one hears at times the statement that the "English" Canadians enjoy an exceptionally high reputation. Some reasons occur why this should be the case, and, without suggesting comparison, why the average "English" Canadian in the United States is a good type. (1) Those who go to seek their fortune in a foreign country are presumably hardy and ambitious, the result of a process of natural selection. (2) They have been bred under invigorating climatic influences. (3) They find a wider market for their abilities. (4) They are in

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[1] PERSONS TEN YEARS OF AGE OR OVER WITH ONE PARENT OR WITH BOTH PARENTS CANADIAN BORN

Industrial Branch	"English" Canadians		French Canadians		Total	Per Cent	Number Having Same Occupation Remaining in Canada in 1891 [2]	Number of Employees Engaged in Indicated Occupation in Canada, 1901
	Males	Females	Males	Females				
Agriculture	97,645	2,306	44,267	793	145,011	17.7	790,210	
Lumbermen and Raftsmen	5,223	5	2,842	2	8,072	....	12,319	
Manufacturing and Mechanical Arts	114,518	30,166	130,381	58,749	333,814	40.7	320,001	369,595
Miners and Quarrymen	5,090	1	2,521	1	77,613	....	15,168	
Fishermen and Oystermen	2,761	14	924	3	3,702			
Boot and Shoemakers and Repairers	4,757	2,085	9,076	2,643	18,561	....	15,816	18,041
Saw and Planing-Mill Employees	4,489	6	4,904	9	9,408	....	13,338	53,042
Paper and Pulp Mill Operatives	1,378	261	2,272	581	4,492	....	690	2,817
Printers, Lithographers and Pressmen	3,348	648	996	144	5,136			
Textile Trades	4,270	5,101	43,378	41,509	94,258			
Cotton Mill Operatives	1,511	1,602	30,147	29.331	33,191	....	6,053	8,502
Hosiery and Knitting-Mill Operatives	259	884	1,148	2,416	4,707	....	946	2,162
Silk Mill Operatives	109	322	403	844	1,678	....	121	322
Woolen Mill Operatives	1,051	1,015	4,693	3,440	10,199	....	4,241	7,182
Carpet Factory Operatives	73	83	145	111	412	....	....	915
Bleachery and Dye Works	225	30	860	65	1,180			
Other Textile Branches	1,042	1,165	5,982	5,302	13,491			
Domestic and Personal Service	56,912	41,461	49,549	12,970	160,892	19.6	246,183	
Nurses and Mid-Wives	479	5,003	57	579	6,118	....	2,157	
Soldiers, Sailors and Marines (U. S.)	2,902	.....	802	.....	3,714			
Hotel-Keepers	923	149	520	50	1,642	.....	6,818	
Saloon-Keepers	993	13	1,134	12	2,152			

[1] The Census does not give figures on those having both parents Canadian born.

[2] The 1901 Census figures on occupations are not yet completely compiled. They will of course show considerable change.

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PERSONS TEN YEARS OF AGE OR OVER WITH ONE PARENT OR WITH BOTH PARENTS CANADIAN BORN—*Concluded*

Industrial Branch	"English" Canadians		French Canadians		Total	Per Cent	Number Having Same Occupation Remaining in Canada in 1891	Number of Employees Engaged in Indicated Occupation in Canada, 1901
	Males	Females	Males	Females				
Bartenders	1,316	8	1,203	6	2,533	....	1,553	
Restaurant-Keepers	532	116	239	38	925	....	693	
Trade and Transportation	87,691	15,972	36,711	4,233	144,607	17.6	186,695	
Bankers and Brokers	990	6	265	1	1,262	....	923	
Officials of Banks and Companies	1,604	32	256	6	1,898	....	913	
Boatmen and Sailors	2,890	4	946	.....	3,840			
Wholesale Merchants	680	4	216	.....	900	....	1,712	
Steam Railway Employees	10,271	32	5,443	7	15,753	....	29,752	
Professions	16,735	12,353	3,614	2,238	34,940	4.2	116,266	
Teachers and College Professors	1,784	9,210	295	1,641	12,930	....	22,183	
Music Teachers	610	1,573	282	355	2,820	....	3,325	
Literary and Scientific People	289	162	58	19	528	....	279	
Artists and Teachers of Art	272	341	64	47	724	....	953	
Actors and Professional Showmen	733	251	224	50	1,258			
Government Officials	1,248	177	267	32	1,724	....	441	
Physicians and Surgeons	2,880	246	725	42	3,893	....	4,448	
Lawyers	1,630	27	233	1	1,891	....	4,332	
Dentists	1,038	30	141	5	1,214	....	753	
Journalists	606	74	95	6	781	....	786	
Civil Engineers and Surveyors	1,040	2	151	.....	1,191	....	2,856	
Electricians	1,621	10	364	5	2,000	....	567	
Clergymen	1,829	126	497	12	2,464	....	7,164	
Architects, Designers and Draftsmen	676	27	147	9	858	....	843	

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a country where traditionally greater responsibility is placed on young shoulders than has been usual in Canada down to recent years. (5) Race and language are in their favor, especially in the West. (6) They have had the benefits of a good common school and, in special cases, of a thorough collegiate education. (7) Coming from a more agricultural country they may be expected to be healthy and thrifty. (8) In old Canada religious influences are strong. (9) Finally it is just possible that the comparative absence down to quite recently of the marked influence of corporate organization of business in Canada has instilled into the Canadian youth a lively sense of personal responsibility.

Who's Who in America mentions 245 Canadians. With the allowance already made of one-eighth for those born in Great Britain but brought up in, and therefore rightly to be credited to Canada, the number of Canadians becomes 276 or 2.3 for every 10,000 Canadians in the United States. With this may be compared the British rate per 10,000 of 2.2, that of 2.1 for the Dutch, that of .5 for Swedes and that of .9 for native Americans (black and white) or 1.9 for native white Americans. The record made by the Canadians seems particularly notable when it is remembered that nearly 60 per cent (58.4 per cent of the French Canadians and 56.5 per cent of the "English" Canadians) are under 21 years of age as against 10 per cent for all foreign-born and 52 per cent for all native-born. The railway magnate of the West is a Canadian, as was the late Erastus Wiman. America's wizard electrician received his first schooling in telegraphy in Ontario. The inventor of the Bell telephone also lived a while in the same province, lecturing for two years at Queen's University; and the first Atlantic cable was promoted in the United States by a Nova Scotian. Canadians preside over two of the foremost American universities; while Harvard and many other seats of learning have a goodly array of Canadian talent in their faculties. The distinguished professor who has lately left Baltimore to grace the chair of medicine in Oxford is a Canadian, as is curiously the gentleman who has been invited to succeed him. At least one of the great national banks of the United States has a Canadian president; and a

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number of prominent banking and financial houses have Canadian vice-presidents, cashiers and other officials. A full list of distinguished Canadians in the United States would indeed have to include also littérateurs, clergymen, actors, members of Congress and even one diplomatic representative of the Republic.

The Intermarriage of Canadians and Americans

The marriages of Canadian immigrants show interesting variations. Most of the "English" speaking Canadians "cross the line" unmarried and after establishing themselves take wives from among their new acquaintances. The majority of the French Canadians migrate after marrying or marry one of their own race in the United States. This is evident from the fact that three-fourths of the 812,350 children one of whose parents is a Canadian have "English" Canadian parents. Grouping all Canadians of the present generation together, 48.1 per cent have married in the United States. This is a large proportion compared with other nationalities. For example only 36 per cent of the English marry in the United States; 36 per cent of the French and 32 per cent of the Scotch. The Canadians, in the great majority of instances when they do not marry native Americans, marry people of British extraction. The actual intermarriage of the 135,521 Canadian men was as follows:

MARRIAGE OF CANADIAN MEN IN UNITED STATES WITH WOMEN OF FOREIGN BIRTH

NATIONALITY OF WOMEN	NUMBER OF MEN	PER CENT
Irish	49,213	71
English	30,630	
Scotch	15,718	
Welsh	1,099	
Canadian	15,488	11½
German	11,569	9
Scandinavian	3,958	3
French	3,246	2½
Swiss	708	3
Russians, Bohemians and Poles	637	
Austro-Hungarian	302	
Italian	119	
Others	2,834	

It is worth noting that in 1900 as many as 90.8 per cent of

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the "English" Canadians had become naturalized and 84 per cent of the French Canadians. A student of the French Canadians in New England,[1] writing in 1898, comes to the conclusion that the French Canadians in New England are gradually losing their identity and coalescing with other nationalities, especially the Irish. The birth-rate among them is lower than in Quebec; child mortality, especially up to five years, remains high; immigration has greatly declined and solicited immigration has ceased altogether. The influence of industrial life and of free public schools is doing the rest. The comparative youthfulness of the Canadians, already referred to, is here of moment.

A word as to the effect of all this emigration on Canada's population. During the half century Canada made up one and one-quarter millions of her loss by settlers crossing the water from Great Britain. This and other European immigration together with her natural increase have enabled Canada to show a slight growth in population from decade to decade.

The meager growth has given rise to assertions of a declining birth-rate in some of the older provinces. During the last few decades later marriages and a slightly lower birth-rate are in evidence both in Europe and in America. Agricultural sections especially have lost in population on account of the introduction of machinery. The constituents of the rural population have changed: there are now relatively more children and old folk than formerly, fewer of middle age, those in the prime of life being drawn into the great stream of people migrating to the cities, and in Canada to the new west or to the United States. This is largely the situation in Ontario and in "the provinces down by the sea." That there are now not so many births in proportion to the whole population is in itself natural. But available returns do not allow one to speak of an unusual decline in the birth rate in relation to the people of marriageable age. The assertion of a lower birth rate can accordingly be

[1] Wm. MacDonald "The French Canadians in New England," *Quarterly Journal of Economics*, vol. xii. See also Rev. E. Hamon's Les Canadiens-Français de la Nouvelle-Angleterre (Quebec, 1891), and "Growth of the French Canadian Race in America," by Professor John Davidson in *Annals of American Academy of Political and Social Science* (1896).

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little more than surmise. Yet it is probably true that families are smaller than formerly. Speaking of Ontario one can even notice that families are smaller in the old settled parts than in northern or "New" Ontario. The result is that Ontario, as well as the Maritime provinces, have little more than held their own in population. This is evident from the following table. This does not hold for Quebec province, where families with fifteen to twenty-five children are not uncommon and where the population has gone on doubling itself since 1680 on the average every thirty years, elbowing out moreover the comparatively few English residents from the country parts.[1]

POPULATION OF CANADA BY PROVINCES

PROVINCE	1871	1881	1901
Ontario	1,620,351	1,923,228	2,182,947
Quebec	1,191,516	1,359,027	1,648,898
Nova Scotia	387,800	440,572	459,574
New Brunswick	285,594	321,233	331,120
Prince Edward I	94,021	108,891	103,259
Manitoba	25,228	62,260	255,211
Territories	48,000	56,446	211,649[2]
British Columbia	36,427	49,454	178,657
Total	3,689,257	4,324,810	5,371,315

The relations between Canada and the United States have been in some points very like those between Scotland and England. Compared with Scotland there is the great difference, however, that Canada has a back country with a varied wealth of natural resources which is now attracting a larger population and creating a wider home-market for men and goods. It is matter for congratulation that, in spite of the heavy net losses of population in the past, there is probably no part of the world where the average comfort is so high, and where since 1900 a rapid progress in agriculture, industry and population is so evident as in "The Great Dominion." During the last five years ending with July, 1905, upwards of 550,000 people are

[1] Professor Davidson, in his article already cited, finds that the French Canadians have been doubling since 1763 every twenty-seven years.

[2] Now estimated at 650,000. The population of the city of Winnipeg, Manitoba, in 1901, was 42,340; it is now over 100,000. Four of the territories have recently been formed into the provinces of Alberta and Saskatchewan.

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reported to have settled there. 182,000 of these have come from the United States, 60 to 75 per cent of whom are said to be returning Canadians. The immediate future promises even more impressive results. While the emigration of Canadians is to-day modest and normal, the northward trekking of settlers into Canada seems really but nicely under way. One may make the same remark of the active interest shown by American capital in Canadian industry.

This much may be ventured, however: the presence of many Canadians in the United States and of Americans in the Dominion is a pledge of amity and peace, a pledge that has all the greater value in North America, where unlike Europe, two great nations practically divide the continent. It is therefore conceivable that these nations, having only their politicians and each other to differ with, might forget, in moments of popular excitement, that the national policy of the other is not necessarily hostile in intent. It is well too, in the interests of the *pax americana* that both countries are finding responsibilities beyond their continent. The United States is changing from an American republic to an empire with a world-wide outlook—though with his theory of the "manifest destiny" of Canada Mr. Goldwin Smith regards this very tendency as a misfortune. Somewhat similarly, Canada is passing on from the stage of self-contemplation to the prospect of imperial interests.

S. MORLEY WICKETT.

TORONTO, CANADA.

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PARTY CONDITIONS IN ENGLAND

AND THE CAUSES OF LIBERAL SUCCESS IN 1906.[1]

THERE is usually a tendency on the part of Englishmen to exaggerate the importance of a general election—to insist that the fate of the British Empire is more dependent on an immediately pending general election or an election in progress than it has been on any general appeal to the constituencies since 1832.

The year 1832 is invariably taken as a dating point in these comparisons. And it is quite in keeping that it should be thus taken; for in 1832 the modern period of British parliamentary history had its beginnings. Before 1832 the British parliamentary system was of the most nondescript character. England, Scotland and Ireland elected their representatives to Parliament on systems peculiar to each country. The mode of electing members to the House of Commons could scarcely be called a system either in England or in Ireland. Scotland was the only country in which there was any uniformity in the representative system. In all three countries electoral corruption was rampant; the landed and moneyed classes were easily dominant; and they were in a position to dictate the personnel and party character of half the members of the House of Commons.

Uniformity was introduced in England, Scotland and Ireland when the suffrage was first reformed and extended in 1832. In

[1] General Election in 1900

Conservatives and Liberal Unionists	402
Liberals and Labor	186
Irish Nationalists	82
Total	670

General Election in 1906

Liberals (372) and Labor (57)	429
Conservatives (130) and Liberal Unionists (28)	158
Irish Nationalists	83
Total	670

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1867 the suffrage was again extended; and in 1885 there was still another extension; and the net result of these three measures of 1832, 1867 and 1885 is that today every man in Great Britain who has had a settled abode for one year before the voters' lists are compiled may vote at a parliamentary election.

Democracy in England, so far as elections to the House of Commons are concerned, had its beginnings or rather its revival in 1832; and to most Englishmen there is little parliamentary history before the reform of the electoral system three quarters of a century ago. The Reform Act of 1832 is for Great Britain much what the Revolution is for Americans; and hence when an English political speaker desires to emphasize the unusual importance of a general election, he declares that it is the most important since the Reform Act.

Statements to this effect were made from thousands of political platforms in England, Scotland and Ireland during the general election in January, 1906, and with more truth than on previous occasions. There have been many elections of outstanding importance since 1832. Such was the election of 1868, which followed the extension of the franchise to the working classes in the towns and cities, and at which Gladstone pledged himself to the disestablishment of the English Church in Ireland. Such was that of 1885, which followed the extension of the franchise to laborers in rural England, and at which workingmen members first began to be systematically elected to the House of Commons. The election of 1885 thrust the Home Rule question into British politics and gave it a prominence and importance that could never have attached to it so long as the laboring population in Ireland did not possess the parliamentary franchise. Such also was the general election in 1886, which followed the defeat of Gladstone's first Home Rule bill. The election of 1886 decided the tendency in British politics for twenty years. It was responsible for the reaction of the last ten years; and its influence even yet is by no means entirely spent. But none of these elections—1868, 1885 or 1886—approaches in far-reaching importance the general election of 1906; for had the Liberals been defeated and Chamberlain become master of the situation, the reaction would have continued, and the likelihood

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is that Great Britain would have reversed her fiscal policy of the last sixty years and would have ranged herself among the nations which shield their farmers and manufacturers by protective tariffs.

Chamberlain did not propose high tariffs. The policy which he had outlined called for a duty of only two shillings a quarter on foreign grain, equally moderate duties on other food-stuffs, and a very moderate protection on the output of British factories. Nobody, however, imagined that this moderation would long have characterized any British protective system. The landowners and the farmers would no more have remained content with a nominal duty on grain and food-stuffs from non-British countries than the woollen manufacturers of the United States would be content with a tariff for revenue only to protect them from importations from Yorkshire, Wiltshire and Scotland. With Chamberlain dominant, or his fiscal system once established, the agricultural interests in England would have forced the pace, just as they did in the half-century that preceded the repeal of the Corn Laws in 1846; and in self-defence most of the non-exporting manufacturers of England and Scotland would have had to fall in line with the landed classes and the farmers and insist on higher duties for their protection. A victory for Chamberlain or even a half victory for the Liberals and free-traders might have meant all this; and certainly there was never a British general election since 1776 in which the United States had more at stake than in the election which has determined that Chamberlain and his scheme are to be thrust into the background and that the fiscal policy of Peel and Gladstone is to remain intact.

No reference has been made to Balfour and his scheme for retaliation. Reference is not necessary; for Balfour's scheme could not have been set up without establishing a protective system; and if Great Britain had decided at the general election in favor of an inroad on its present policy of freedom of trade, the decision would have been in favor of Chamberlain's plan; and Chamberlain as premier of a protectionist government would have been responsible for putting Great Britain on a protectionist basis as fully as was Earl Grey for the Reform Act of 1832 or Peel for the repeal of the Corn Laws.

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So far as concerned the fiscal question, the issue at the general election was Bannerman or Chamberlain. Bannerman carried the country, and Balfour is to continue as leader of the Tory opposition in the House of Commons; but if Bannerman had been defeated Chamberlain would have become premier, and Balfour would have been compelled to step down. It was Chamberlain who raised the new issue. He did so almost single-handed; certainly with little effective help from Balfour; and had the popular vote been in his favor the country would have looked to Chamberlain and not to Balfour for the carrying out of a protective policy.

With victory for Chamberlain there could not have been room on the Treasury Bench in the House of Commons for both Chamberlain and Balfour. Chamberlain's success would have meant the end of Balfour as well as the defeat of Bannerman; and the only place of usefulness for Balfour would have been in the House of Lords. Had he adhered to the views which he held until after his defeat at Manchester, it is scarcely conceivable that a place would have been made for him in an administration of which Chamberlain was premier. For two and a half years Balfour had tried a middle course. It had obviously failed. Chamberlain had the upper hand with the Tories and Unionists when they went into the election; and only the overwhelming defeat of the party, and the concessions which Balfour made to Chamberlain when he was a candidate for the vacated seat for the City of London in February, saved for Balfour his position as nominal leader of the Tory minority in the House of Commons.

Although the fiscal policy of Great Britain was at stake, the general election of January, 1906, was not by any means fought exclusively on Chamberlain's proposals. Neither side has since the election advanced any such claim; and now that the Liberals have been returned to the House of Commons by an unprecedentedly large majority, it is impossible to credit all their success to the fight against the newer aspects of Chamberlainism.

Long before the election, almost as early as Chamberlain's abandonment of free trade, there were indications that England and Scotland were weary of Tory and Unionist rule—a weari-

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ness altogether irrespective of the developments or rather the ruptures within the Tory party which dated from May, 1903, when Chamberlain began his fiscal reform propaganda at Birmingham. The by-elections between May, 1903, and the end of 1905 were proof of this weariness—this popular conviction that twenty years of power is too long a term for a political party. It is not possible to gauge accurately what effect Chamberlain's propaganda had in these by-electoral reverses for the Tories. The fiscal question was undoubtedly a large factor in many Tory reverses in the constituencies after May, 1903, but in none of these by-elections was the general record of the Unionist government ignored. The late government suffered from the abnormally high rate of the income tax from the time of the South African war. It suffered from the exposures of inefficiency and corruption which came with the end of the war. These two factors told adversely for the Tory government in the by-elections in such middle-class constituencies as Brighton and the Stretford division of Lancashire, which includes a large area of suburban Manchester; for in these residential and suburban constituencies direct taxation is most felt.

From 1886 onward, middle-class England, especially that large section of it which is to be found in suburban London and in the better-class suburbs of all the large cities in the Midlands and North of England, had become increasingly Tory. The by-elections in 1903, 1904 and 1905 suggested that the current had set in the other direction, and that middle-class England was showing a disposition to occupy once more the political position which it held between the Reform Acts of 1832 and 1885.

Several well-defined causes contributed to this movement. One of these, which has already been mentioned, was the heavy burden of direct taxation which characterized the last five years of Tory rule. Another was the thrusting of third-rate and fourth-rate men of aristocratic family into responsible positions in the cabinet and the ministry—positions much beyond their ability—after the Duke of Devonshire, Lord Balfour of Burleigh, Lord Goschen, Sir Michael Hicks-Beach, the late Earl Ritchie and Lord George Hamilton abandoned the Balfour administration when Chamberlain began to assail free-trade. Still another

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cause was the growing feeling among the less partisan of the middle-class people that so long as the House of Lords remains as it is today, overwhelmingly Tory and Unionist, Home Rule for Ireland is only an imaginary danger. These influences no doubt accounted appreciably for the Tory reverses at the by-elections of 1904 and 1905, and for the gradual dwindling of the enormous majority with which the late Tory government met the House of Commons after the general election of 1900.

The education question has also been a great factor in this change in political feeling on the part of the English middle-classes. From 1832 until 1886 the Free Churchmen, who are largely of the middle classes, were as loyal to the Whig and Liberal party as the Grand Army of the Republic has been to the Republican party in the United States since the end of the war of the Rebellion. In those fifty-four years the Nonconformists obtained comparatively little from the Whig or Liberal administrations which were in power. The most important concession to Nonconformity in the nineteenth century—the abolition of the Test and Corporation Acts—was made by the Tories in 1828, before the Free Churchmen obtained the electoral power which was secured to them by the Reform Act of 1832. Legislation freeing the Nonconformists from civil disabilities after the act of 1828 was slow in coming. It was grudgingly conceded while the Whigs were in control and was sometimes accompanied by distasteful safeguards for the Church of England; while as concerns official recognition for the Nonconformists—places in the cabinet or in the ministry—the number of Nonconformists who were so recognized until as late as 1885 did not reach more than half a dozen.

Free Churchmen in those years secured little from Whig and Liberal administrations. But Nonconformist political sympathies—the Wesleyan Methodists to some extent excepted—were with the Liberal party, even in the days when it was dominated by Whigs like Grey, Melbourne and Palmerston; and when Gladstone came into power their support of him was even more hearty and steadfastly loyal than of his Whig predecessors in the Liberal leadership.

Gladstone did much less than he might have done for the

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Nonconformists—in particular as regards the Education Act of 1870 and the abolition of religious tests at the universities—and as a High Churchman he had little real sympathy with Nonconformity. But the Free Churchmen held to him, at first because of his Irish church policy, and after 1869 largely on account of his religious and family life, which differentiated him from any of the leaders whom the Liberal party had had between 1830, when Tory rule collapsed, and 1867, when he first became premier.

Gladstone would have had this Free Church support to the end of his political life had he not suddenly thrown in his lot with the Irish Home Rulers after the general election in 1885. Then tens of thousands of Free Churchmen parted company from him and the Liberals; and until the by-elections in 1904 began to go against the Balfour government there was no indication that the Free Churchmen—Congregationalists, Baptists, Quakers, Unitarians and Wesleyan Methodists—were returning to their old political allegiance. In 1904 and 1905, they were obviously making their way back into the ranks of the Liberal party. There were other proofs of this besides the by-elections. The movement was obvious at the annual conferences of the Free Churches; and it was even more significantly obvious in the political campaigning which began as soon as the general election approached and in the lists of Liberal candidates who presented themselves before the constituencies.

Chamberlain was responsible for much of the recruiting of the Liberals from the Liberal Unionists. Part of it was due to the causes I have already cited—particularly to general weariness of the unsatisfactory rule of the Tory aristocracy, who were as powerful in the Tory governments of 1895-1900 and 1900-1905 (Chamberlain's place in these governments notwithstanding) as in any of the Tory administrations between the death of Pitt and the breakdown of the Wellington administration in 1830. Moreover, the aristocratic personnel of these 1895-1900 and 1900-1905 governments—especially of the Balfour government from 1903 to 1905 after the resignations due to Chamberlain's new propaganda—was quite as much characterized by mediocre ability as any of the Tory governments between 1800 and 1830.

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Not since the landed aristocracy lost its direct control of the House of Commons by the Reform Act of 1832, was there ever such a marked lack of power and ability in a Tory government as there was in the Balfour government during the last two and a half years of its existence. An examination of the list of men who constituted it almost suggests that political conditions were again what they were between the American Revolution and the Reform Act, and that the commercial and industrial classes in Great Britain had little or no part in the election of the House of Commons. It seemed as though the exercise of power for twenty years by the Tories and Unionists had exhausted all the marked political ability that was available at the time of the coalition of 1886; for four-fifths of the men who were of Balfour's ministry when it came to an end in December, 1905, were from no point of view worthy a place in a biographical dictionary of more permanent value than the annual issue of *Who's Who*. The make-up of the Balfour government in its last years was an affront to the intelligence of the British electorate; and, as the general election has now made manifest, the electorate at last came so to regard it.

Distrust of Chamberlain and his newest propaganda and the weakness and ineptitude of the Balfour government had much to do with the movement of the Liberal Unionists in the constituencies back to the Liberal party. But much of the disappearance of Liberal Unionism is traceable to the Education Act of 1902, and the injustice of closing to all but adherents of the Established Church over thirty thousand head-masterships and head-mistressships in 11,600 public elementary schools, the maintenance of which all comes either out of the imperial treasury or out of county and municipal taxation. These positions in the elementary schools are all civil service appointments, as much as clerkships in the state departments at Whitehall or in the post offices or the customs houses; yet by statutory enactment, dating from 1902, not one of these head-masterships can go to a Free Churchman unless he cut loose from the church of his fathers or of his mature convictions and accept confirmation in the Church of England which controls these church schools.

In the old days when Nonconformists were burdened with dis-

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abilities, they were excluded entirely from the municipal and the national civil service. Even after the partial removal of disabilities in 1828, a day laborer could not go into the municipal service until he had taken an oath not to use his official position to the disadvantage or the detriment of the Established Church; and as it was only gradually that Nonconformists realized that the civil service was open to them, more than a generation elapsed before they began to make their way in any large numbers into the various departments of government service. As long as the Church of England contributed even a small quota to the maintenance of its elementary schools—even so small a quota as ten or fifteen per cent of the cost—Nonconformists could not and did not hope to take service in these schools; and in the country districts their exclusion from the church schools meant their exclusion from the teaching profession, because there were usually no other schools in their localities, and the entry to the school-teaching profession was chiefly through pupil-teachership.

With the establishment of a national school system under which all the cost of maintaining the schools comes out of public money, Free Churchmen hoped that the school-teaching profession like the civil service would be freely open to them. But the archbishop of Canterbury, a majority of the bishops and Balfour and Chamberlain willed it otherwise; and by the Education Act of 1902—long before Chamberlain declared for protection—there was started the movement of the Free Churchmen away from Liberal Unionism and back to Liberalism—a movement which proved to be such an important factor in the late general election.

It is always difficult to say just when a political party that has come into existence for a special purpose comes to the end of its usefulness and disappears. The Whig party came into existence in the reign of William III to uphold the Revolution of 1688, and incidentally to develop what in the eighteenth century were the great governing families of England, and to make sure that these families did govern and possess themselves of the greater spoils of office. No one can fix the time at which the Whigs disappeared; for there are still Whigs by ancestry,

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tradition and sympathies in the Liberal party, although since 1886 most Whigs have sunk their Whiggism in the Tory party. Still it now seems as though it were going to be possible to date the end of the Liberal Unionists from the general election of 1906; and when the memoir of the party comes to be written it will have to be said that it was largely created by Chamberlain in 1886, and that it was largely destroyed by him between the end of the South African war and the general election of 1906 by his part in and his responsibility for the Education Act of 1902, by his sudden conversion to protection and by his energetic campaign for the reënactment of the Corn Laws.

Not quite all the responsibility for the passing of Liberal Unionism can be laid upon Chamberlain. The abandonment of Home Rule by Liberals in Parliament and in the constituencies and the general agreement within the Liberal party that there must never be another Home Rule bill on the lines of the abortive bills of 1886 and 1893 helped on the movement and brought about the disappearance in the constituencies of many of the Liberal-Unionist political organizations which came into existence in 1886. Further, this abandonment of Liberal Unionism, at a time when there had come to be nothing to distinguish it from Toryism, was quickened by the ineptitude and lack of weight of the Balfour administration. English political life would indeed have lost the virility, wholesomeness and earnestness which had usually characterized it from 1830 to the end of Queen Victoria's reign, if, after England had realized that Home Rule had ceased to be a danger, the forces that made Liberal Unionism in 1886 had continued to support such weakness as marked the last two years of the administration which fell to pieces in December, 1905. Reaction had gone too far. The Tory party had exhausted itself long before the end came; and the only hope was in the return of a strong Liberal majority at the general election in 1906.

After the Home Rule split in 1886, the Liberals sustained disastrous losses in the newspaper world. In London they were left with only the *Daily News* among the morning newspapers, and the old *Pall Mall Gazette*—the *Pall Mall* of Yates Thompson's ownership and Stead's editorship—among the afternoon

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journals. The *Times* went over; so did the *Daily Telegraph* and the *Daily Chronicle*; so did the *Echo*, now no more, but then the popular London Radical evening half-penny paper; and so did the *Spectator*, still edited in 1886 by Richard H. Hutton. In the provinces, the Liberal newspaper losses included the *Birmingham Daily Post*, the foremost Radical newspaper of the Midlands in the years when Bright was one of the members for Birmingham; the *Western Morning News*, long the leading Liberal newspaper in the section of the country which is tributary to Plymouth; and the *York Herald*. For all practical purposes the Home Rulers in 1886 also lost the *Liverpool Daily Post*, the *Leeds Mercury* and the *Newcastle Daily Chronicle*. In Scotland (which between 1832 and 1885 had been as generally Liberal and Radical as it had been overwhelmingly Tory in the days when Henry Dundas, the greatest electoral manager of his era, was the Scottish parliamentary manager) the Liberals lost the *Scotsman* in Edinburgh, the *Herald* in Glasgow and the *Free Press* in Aberdeen. The *Dundee Advertiser* was the only newspaper of any weight left to the Liberals north of the Tweed, after the split of 1886.

From 1886 to 1892, not less than half a million sterling was expended in endeavors to put on foot new Liberal daily newspapers. Only two of these attempts were successful. The *Leader* and the *Star* in London survive as the sole result of all this expenditure in newspaper equipment, salaries and advertising; and until the crisis on the fiscal question the Liberals were but little better placed as regards newspapers than they were in the first few years which followed the break-up of the party in 1886. In fact, for three or four years previous to 1900, they were not so well placed as between 1886 and 1890; for in the earlier years some of the newspapers newly put on foot, which have since disappeared, were then doing some service for Liberalism.

As the general election approached, several of the great newspapers which went over with the Liberal Unionists in 1886 came to the support of Campbell-Bannerman and the Liberals, and opposed Chamberlain and his propaganda. The *Spectator* threw in its lot with the new government; so did the *Daily Chronicle*, which was the first of the London newspapers to

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abandon Liberal-Unionism; and in Scotland at the general election the Liberals had the support of the Glasgow *Herald* and the Aberdeen *Free Press*. This newspaper support was significant of the popular movement from Liberal Unionism back to Liberalism. It was the fiscal question—the battle for free-trade—and the merging of Liberal Unionism in Parliament in an obviously decadent Toryism that brought most of these newspapers back to the Liberal party. Particularly was this the case in Scotland; because the Education Act of 1902 does not apply to Scotland, nor does the Licensing Act of 1904. Both of these are exclusively English questions; and the other popular outcry against the late Tory government—that against the Chinese ordinance on the Rand—would not alone have caused these journals to veer round, although on the Chinese question the *Spectator* had not been at ease for eighteen months before the general election.

In England, the Chinese ordinance had two well-marked effects, both adverse to Chamberlain and his campaign. It impelled middle-class Nonconformists from Liberal Unionism towards Liberalism. It also aroused wide-spread hostility to Balfour and Chamberlain among the working classes—urban as well as rural—and it was unquestionably a powerful influence in favor of the fifty-one labor members who were elected in the English constituencies. Among people who have no interest in the Rand mines—and shares in the gold mines are not widely distributed—there was developed a conviction that the Balfour government had allowed itself to be tricked by the mine-owners into acceptance of the Chinese ordinance. It is now well understood in England that it was part of the policy of the mine-owners—a policy agreed upon in the early months of the war of 1899–1902—to depress Kafir wages by the introduction of Chinese labor when the war should come to an end.

At the end of the war I was on the Rand and also in Portuguese East Africa, which before the war was the great recruiting ground for Kafirs. From my own investigations I know that at that time—July, August and September, 1902—the labor agency of the Chamber of Mines was making only half-hearted efforts to get a full complement of "boys" for the mines at

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Johannesburg. Apparently, judging from the Rand newspapers, recruiting was going on vigorously; but the sincerity of the effort to obtain labor may be judged from one fact which is on record and beyond dispute. Wages before the war, when there were 90,000 "boys" on the Rand, were fifty shillings a month. These were the regular wages. After the war, the mining companies by agreement would not pay more than thirty shillings a month. And yet at that time South Africa was still full of British troops; tens of thousands of natives were required for transport, commissariat, railway, dock and municipal service; mealies were commanding unprecedentedly high prices, so that it paid the natives to stay at home and cultivate their mealie patches; and thousands of the "boys" had large sums of money in hand which they had drawn for service with the British troops.

These were the economic conditions which prevailed in the country south of the Zambesi when the Chamber of Mines, in accordance with a policy decided upon in 1900, when the mine-owners and superintendents were among the refugees at Cape Town, determined to cut wages almost in half. It was impossible that the movement should succeed or that under these circumstances native laborers in adequate numbers should be forthcoming for the mines on the Rand. But England is remote from South Africa; and England lost interest after war and bloodshed were at an end. The movement to reduce wages served the end the Chamber of Mines had in view. It kept natives from the mines and thus demonstrated that there was a shortage of native labor. The mine-owners had had Chinese labor in mind long before peace was declared. At least a year earlier, Chamberlain, who was secretary of state for the colonies, had been sounded by the mine-owners of Rhodesia as to whether he would sanction the importation of Chinese coolies. He then brusquely refused to entertain the suggestion—his letter can be found in the report of the Chartered Company for 1901. This did not discourage the mine-owners of the Rand, who exercise an enormously greater political influence in South Africa than the British South Africa Company by which Rhodesia is administered.

The persistent and powerful plea of the Rand mine-owners

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was supported by proof (of their making) that it was impossible to obtain native labor and by the contention that without Chinese the mining industry would collapse. Milner, who was then high commissioner, accepted the plea; and in 1904, on the initiative of Lyttelton, the late colonial secretary, Parliament sanctioned the Chinese ordinance which had been passed by the government-controlled Legislative Council at Pretoria. Then began the importation of coolies—"indented" for, like railway equipment or dry-goods, and reported by cable from Durban to Johannesburg, as the receipt of cotton at seaboard in the South is reported to Liverpool—until at the time of the general election there were 50,000 Chinamen immured in Andersonville-like compounds on the Rand.

Even the bishops, who either voted for the ordinance or failed to vote against it when it was before the House of Lords in 1904, are now tired of the Rand experiment and the retrograde movement for England which it involves; and tens of thousands of Tories who dislike to vote with the Liberals under any circumstances would be immensely relieved if the new Liberal government had the courage to bring the experiment completely to an end.

Following the lead of Chamberlain and Balfour, Tory stump speakers urged the danger of Home Rule—ignoring the existence of the House of Lords—and the protectionists among them enlarged on the splendors of empire and the elusive and mysterious "proffered hand"—the offer in writing of further preferential treatment for British manufacturers in Canada which Sir Wilfrid Laurier is alleged to have made to Chamberlain. But eloquence on these subjects at the electioneering meetings in industrial England did not escape abrupt interruptions from the audience with questions concerning the Chinese ordinance. The loss of three or four by-elections in 1905 was attributed even by Tory organizers to what they described as the popular misunderstanding of Chinese labor; and at the general election the Chinese ordinance turned thousands of wavering votes to Liberal and free-trade candidates.

The Chinese ordinance came more than a year after Chamberlain had broken away from the Balfour administration and

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had set out to convert the Unionist party to protection. Balfour must have realized by that time (the parliamentary session of 1904) that the next general election would end the long era of Tory rule. He must have been convinced that the Tories were at the end of their tether; that nothing the government could do could save them, and perhaps also that no step it could take could add much to the jeopardy of the Tory party when the general election arrived. Otherwise it is difficult to account for his failure to disallow the Chinese ordinance. He could either have disallowed it or, better still, have prevented its enactment by the Legislative Council at Pretoria. Had he taken either course he would have broken with Lord Milner, who was then nearing the end of his term as high commissioner in South Africa. He would certainly have disgruntled the cosmopolitan group of stock-jobbers and town-lot speculators who every day assemble "between the chains" in Johannesburg. A few large contributions to the central campaign fund of the Tory party might also have been lost; and there would certainly have been a strident scolding from the *Daily Telegraph*, the organ of the Rand in London. This would have comprised all the probable damage to the Tory party from a rejection of the Chinese ordinance. It is far from certain that the rejection of the ordinance would have lost the Tory party a single vote at the general election even in the parliamentary division of London which includes Park Lane, where the Rand magnates have their palatial abodes. On the other hand, the acceptance of the ordinance by the Tory government and its endorsement by the House of Commons added enormously to the electioneering perplexities and difficulties of every Tory candidate. It was not necessary for the Liberal candidates at the general election to say much against the Chinese ordinance. The bill-stickers did the effective work on this question; and when they had covered all the barns in the rural constituencies and the hoardings in the towns with pictures of Chinamen in the Rand compounds, it was useless for Tory candidates to assert that there was nothing approaching slavery in the three-years' indenture, the felon-like transportation from the steamer at Durban to Johannesburg, the floggings at the order of the compound

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superintendents, or the Andersonville structures on the mine reservations. In constituencies which included a large labor element, a Tory candidate could make no effective answer to the hoardings covered with pictures illustrating coolie conditions on the Rand. Two-thirds of the soldiers, army reserve men, militiamen, volunteers and railway men who were in South Africa during the war were back in civil life in 1906, with their names on the voters' lists; and the ex-soldier vote told heavily against the Tories and the Chinese ordinance.

At the general elections of 1895 and 1900, the Tory government had the support of the clergy of the Church of England and of the Roman Catholic Church, because of the promises then held out to them in connection with their schools. It is impossible to generalize as to the votes of the clergy at the election in 1906. But it is reasonable to conclude that the Church of England and the Roman Catholic clergy again voted with the Tories; this time out of gratitude for what was saved to the church schools and their managers by the Education Act of 1902. The act, while it threw the whole burden of maintaining the schools on the national and local treasuries, left the appointment of head-teachers and a large part of the general management of the schools in the hands of the clergy. Each church was allowed to continue its denominational teaching in the schools. These are the only churches which exercise this privilege. Before the act of 1902, the Congregationalists and Wesleyan Methodists had had control of elementary schools, the cost of maintaining which had, between the Forster Education Act of 1870 and the Balfour Act of 1902, been thrown as in the case of the Church of England and the Roman Catholic schools almost entirely on the public treasury. But in these schools, there never was any denominational teaching and Free Churchmen have never—certainly not since 1870—asked that the tenets of their churches should be taught in the public elementary schools.

Roman Catholics in England are of political weight only in the industrial constituencies of the Midlands and the North of England, in which there are large Irish laboring class populations. But in 1895 and again in 1900 the Catholic vote in many of these places was thrown to the Tory candidates, be-

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cause the Catholic clergy as well as the clergy of the Established Church, had been given to understand that if the Tories were returned to power something would be done for the church voluntary schools—that is for the elementary schools managed by the Established and the Roman Catholic Churches. More was done for these voluntary schools—parochial schools as they would be termed in the United States—than could have been expected at the election in 1895 or even at that of 1900. But what was gained by the churches was by no means securely held. The privileges both of the Roman Catholic Church and of the Established Church were vigorously assailed by the Liberals from the passing of the Education Act until the general election. The Free Churchmen objected, as I have said, to the power of appointment of head-teachers exclusively from within the two privileged churches. They objected also to the distinctive doctrines of any church being taught in public elementary schools at the public expense; and furthermore, with regard to the Church of England, the Free Churchmen objected to the enormous grants from the imperial treasury to training colleges or normal schools to which admission was denied to all who were not by baptism and confirmation members of the Church of England.

The passive resistance movement which had gone on in England for three years prior to the general election and which had resulted in 70,800 summonses to the police court for the non-payment of local taxes for education, was a protest against these unfair sectarian conditions. The Free Churches are well organized. They are infinitely better organized than they were in 1870 when Gladstone and Forster paid them so little regard in the Education Act of that year—the act which established the school boards that survived until 1902; and on the formation of the Liberal government in December, 1905, and many times before then, the Free Churchmen made plain to Campbell-Bannerman and his colleagues of the Liberal party that they did not intend to be served on the education question as they were a quarter of a century ago by Gladstone and his first cabinet. There were more Free Church candidates than at any previous general election; and largely owing to the passive resistance

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movement and other methods of agitation against the Education Act of 1902, 176 Free Churchmen are of the new House of Commons.

The clergy of the Church of England and of the Roman Catholic Church had had long and ample warning that there was no permanence about the settlement of the education question of 1902. Every passive resister who had had his household belongings sold at auction in default of payment of his education tax, every one of the 176 passive resisters who had gone to jail in default of payment, had served to warn the clergy of these churches that their unfair advantages in connection with elementary education were held on a precarious tenure. Birrell's appointment as minister of education was another and still more ominous notification to the same effect, as Birrell is the only Free Churchman who has been at the head of the education department since Mundella was minister of education in Gladstone's 1881–85 administration. Consequently, at the general election, both the Established Church and the Roman Catholic Church were fighting to hold what they had got; and the votes of the clergy and of the electors who think on this question with them, or who could be influenced by them, were given to the Tory candidates without regard to free-trade, the Chinese ordinance, the liquor licensing question, or the weakness and ineptitude which marked the last three years of Tory rule.

No estimate can be made of the number of votes that were given to the Tories in return for the support which the Tory government gave to the denominational schools by the act of 1902; but there is good reason for assuming that the lay vote for the Tories as upholders of the existing school system was very much smaller than it was in 1895. Then both the clergy of the Church of England and the priests of the Roman Catholic Church in England worked strenuously in the interest of the Tories; because at that time the Tories were pledged to grant more government aid to the elementary schools, many of which in 1895 were confronting serious financial difficulties. The sweeping successes of Liberal candidates at the recent general election are proof that adherents of the Established Church in large numbers must have put free-trade, the Chinese

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question and other questions at issue in the election before the question of the maintenance of the existing system of church schools. The success of Liberal and Labor candidates in the industrial constituencies in the North of England and the Midlands, in which Irish electors are numerous, is also proof that the priests of the Roman Catholic Church did not carry the electors of their parishes in favor of Tory candidates to anything like the same extent as in 1895. At that election fifteen or twenty seats were lost to the Liberals owing to the defection of Irish voters, who were influenced by the attitude of the priests on the school question.

It has long been claimed by the foremost authorities on the working of the Elementary Education Acts—by such authorities as the present and past presidents of the National Union of Teachers—that the religious difficulty is an issue for which the clergy of the Established Church and the priests of the Roman Catholic Church are solely responsible; that ninety-nine of every hundred parents have always been satisfied with the religious teaching given in the board schools and have not desired that denominational teaching should be included in the curriculum of the elementary schools. The general election goes a long way towards substantiating this claim. It is the children of the working classes who attend the elementary schools; yet as the result of the election there are now 176 Free Churchmen in the House of Commons, most of them pledged to complete popular control of all elementary schools, to the exclusion of denominational teaching and to the abolition of all religious tests for teachers in schools maintained out of public funds.

A measure in the legislative record of the late Tory government which gave much dissatisfaction because it was a concession to powerful vested interests, long associated with the Tory party, was the Liquor Licensing Amendment Act of 1904. Before this act was passed it was within the power of the county and borough magistrates, assembled in brewster sessions, to refuse to renew the license of any drinking place solely on the ground that there was no public need of it; and between 1887, when a decision of the House of Lords finally determined that under the then existing licensing code the magistrates had this

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power, and 1904, hundreds of licenses were so refused each year.

The judgment of the House of Lords was most disturbing to the brewery companies and to private concerns in the trade; for these companies had, on a very moderate estimate, spent from £100,000,000 to £115,000,000 in buying up licensed houses and tying them to the breweries so as to secure a monopoly of the local trade. All this money had been invested on the assumption on the part of the brewers that when once a license had been granted to a drinking shop—no matter how local sentiment and local conditions might change—the magistrates could not refuse the renewal of the license unless the licensee were guilty of at least three serious offences against the licensing code.

The brewery companies had put their capital into these houses on this assumption, notwithstanding the fact that every liquor license from 1552 to 1904 had carried on its face the intimation that it was good only for the year of issue—for the year that lies between one brewster sessions and the next. After the decision of the law lords in 1887, however, and until as late as 1903, renewals of licenses were refused in many parts of England for no other reason than that there was no public need of them, and that the continuance of unnecessary drinking places added to the work of the police. In the year of the House of Lords decision (1887), there were 106,941 licensed drinking houses in England; one to every 242 of the population. By 1903 the number had been reduced by 1,584, owing to the closing of what the magistrates regarded as unnecessary houses, besides a further diminution due to the abandonment of licenses because of lack of business or structural unsuitability of the houses to which licenses had been attached. In the meantime the brewers were in a state of continuous alarm, and they went to Balfour, who was then prime minister. Balfour agreed with them that the decision of the House of Lords jeopardized the interests of the liquor trade and that if there was in law no property right in public house liquor licenses there was urgent need for legislation to establish such a right.

The interview between the brewers and the premier was in

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March, 1904, long after the liquor trade had adopted the motto "Our trade our politics"; and in the session then current Balfour made good his pledge to the brewers, and the Licensing Act was carried through Parliament. Under the act licenses are now treated as property; and when the renewal of a license is refused because there is no need for the house, compensation must be awarded to the dispossessed licensee and to the owner of the house, whether the owner be the licensee or, as is more frequently the case, the licensee be merely the agent of a brewery company. The compensation fund is raised by a levy on a *pro rata* basis on the surviving public houses in the police area. By this arrangement only a restricted number of houses can be closed each year, the number being determined by the amount of money available for compensation. The magistrates have thus much less freedom of action, much less discretion, than they had before 1904; while the act adds greatly to the value of all existing licensed houses.

The Tories were in opposition at the general election. They had, however, been in power to within a month of the polling. They had been in power practically since 1886; and they had a long legislative and administrative record to defend. They had to apologize for the inefficiency and corruption which were disclosed at the end of the war in South Africa. While their legislative record satisfied the Rand mine-owners as concerned the Chinese ordinance, the Church of England and the Roman Catholic Church in regard to the schools, and the brewing interests by virtue of the recognition of a property right in liquor licenses, it did not give general satisfaction to the rank and file of the Tory party, who had derived no advantages, direct or indirect, from any of these measures.

The burden of imperial taxation also told against the party among its less partisan adherents. In 1885 the income tax stood at eight pence in the pound; and in two years between 1880 and 1885—the period covered by the second Gladstone administration—it had been as low as five pence. For the fiscal year 1905–06 the income tax—payable by all men and women on all their receipts from whatever source above £160 a year—stood at one shilling in the pound; and only once since the

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general election in 1900 had it fallen below one shilling; while in 1901–02 it was one shilling and two pence, and in 1902–03 it was one shilling and three pence or $6\frac{1}{4}$ per cent—higher than it has ever been in the modern history of the impost.

The legislative and administrative record of the Tories was thus unfavorable to them. The country was manifestly tired of them; and in addition to the weariness and the feeling that a change from Tory rule had come to be imperative, there had been developments outside Parliament between the election of 1900 and that of 1906 that proved most helpful to the Liberals. The most important of these were: (1) Chamberlain's propaganda for protection; (2) the conviction in England and Scotland that the danger of Home Rule had been dispelled after Gladstone's retirement from the House of Commons in 1894; and (3) the fact that the Liberals had come to a working agreement with the Labor party, both with the Independent Labor party and with those trade unionists who were intent on having their representatives in the House of Commons, but who had not identified themselves with the Labor Representation Committee organized in 1890 by Keir Hardie, the member for Merthyr Tydvil.

Many of the large landed proprietors in rural England, many of the clergy in rural parishes and many of the tenant farmers early gave in their adhesion to Chamberlain. But the laborers in rural England never gave his movement any support; and it is only necessary to turn to the electoral map as it now stands, with the county divisions returning only 64 Tories out of a total of 292 English county members in the House of Commons, to see what effect the vote of the agricultural laborers had in making an end of Chamberlain's scheme.

On the electoral franchise as it existed until 1885, free-trade would have fared badly in all the agricultural counties; for then only landowners and large tenants had votes, and the agricultural laborer had merely to look on at an election and to cheer the candidate that his farmer employer and his farmer's landlord were supporting. Today every farm laborer who rents a cottage—no matter if the rent is only eighteenpence or two shillings a week—is on the voters' list. Voting by ballot has been

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universal in England for thirty years. It was difficult to persuade the farm laborers, when they first began voting in 1885, that the ballot was really secret. Since 1885, however, a better educated and more independent generation of farm laborers has arisen. They understand that except in the very rare case of a scrutiny the ballot is secret beyond all peradventure; and for three years before the general election, at every by-election in a rural division, agricultural laborers had been marking their ballots against Tory and protectionist candidates.

It has come down by tradition to the laborers in rural England that the Corn Laws never brought them any better wages; and although wages today seldom exceed eighteen or twenty shillings a week, they know that this is much more than the laborers received between the French Revolution and the abolition of the Corn Laws. These traditions have been handed from one generation of English farm laborers to the next. They are of the folklore of rural England; and it was not necessary, after Chamberlain began his campaign, that free-trade speakers in agricultural England should dwell much on conditions in England when the landlord-enacted Corn Laws were on the statute book and when rural laborers were without parliamentary representation in the House of Commons.

A generation ago agricultural laborers who openly supported Liberal candidates ran some risks: they might have been confronted within a week after an election that had gone against the Tories with the need of finding new employers. Few agricultural laborers had to carry any such risk at the last general election; for today the laborers are less dependent on the landowners, the clergy and the farmers than ever before in the history of agricultural economy in England. Today they are free to vote as they choose, not only because the ballot is secret, but because, poor and insufficient as their wage may seem to people accustomed to American wages and the American scale of living, English rural laborers are now comparatively independent. The last twenty-five or thirty years have seen a never-ending procession of laborers from rural England wending its way to London, Birmingham, Manchester, Liverpool, Leeds and Newcastle, and to the great centers of the iron and steel and

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textile industries which are scattered over the Midlands and the North of England. It is the young men who go, and their going is so continuous that there is a lack of efficient farm labor all over England; and today few and remarkably advantageously placed are the farmers who can discharge a laborer, or even make his staying uncomfortable, because he may have chosen to vote at a parliamentary election in opposition to his employer.

This new economic and social freedom of the rural laborer meant much for the Liberals and free-traders. It meant more even than they counted upon when it was determined to put up candidates in every county constituency, and not to allow any seats, however apparently securely held, to go to the Tories by default. In industrial England, and especially in the textile counties of Yorkshire, Lancashire and Cheshire, Chamberlain's scheme from the first met with universal opposition. It commended itself neither to employers nor to work-people. The mill-owners in the cotton and woollen industries promptly realized that if Chamberlain should be empowered by a popular vote to enact a protective tariff, he could not possibly do anything for the advantage of the cotton and woollen mills which export their product. These men knew that if there were duties to protect British farmers there must also be duties to protect British manufacturers in the home market; and that as a result of these two sets of duties there would be demands for advances in wages from the strongly organized unions in the textile and engineering trades, and an advance in price of building materials and of all descriptions of equipment and mill supplies. As for foreign competition in the textile industries, the protectionists never even attempted to persuade Lancashire and Yorkshire that it existed.

Soon after Chamberlain had propounded his scheme at Birmingham in 1903, he disclaimed any idea of imposing protective duties on raw materials. This explanation he made because of the outcry in the cotton and woollen centers of Lancashire and Yorkshire. But the explanation was of very little service to Chamberlain. It was not regarded as adequate by the men in the textile industries. They realized that if Canadian lumber were to have a preference at British ports over lumber

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from the Southern states or from Norway, South Africa and Australia would insist on preference for the wools they export to Great Britain. Granting that Australia and the South African colonies were accorded preferential treatment for their principal exports, it was asked in Lancashire whether India, Egypt and other over-sea possessions of Great Britain in which cotton is grown would not demand, with justice, similar favors; and if these were conceded, both the cotton industry of Lancashire and the woollen industry of Yorkshire would be confronted with difficulties beyond measure.

Lancashire, Cheshire and Yorkshire, in which are comprised all the great centers of the textile industries, at the general election of 1895, out of a total of 122 members returned 84 Tories and Unionists. At the general election in 1900, 82 Tories and Unionists and 40 Liberals were elected. The answer of the textile counties to Chamberlain at the general election in 1906 was the return of 95 Liberals and Labor men, all opposed to protection, and only 17 Tories. The Chamberlain reverses were nearly as serious in the coal and iron counties of the North and Midlands. Birmingham remained loyal to Chamberlain; and so did the county of Warwick. Elsewhere in the iron and steel districts the Tory and protectionist candidates were defeated and large gains accrued to the Liberals.

The Liberal success in industrial England was partly due to an understanding between the Liberal organizers in London and in the constituencies with the Labor Representation Committee, by which three-cornered contests were avoided. Labor candidates at the late elections were divided into three groups —miners' union candidates not associated with the L. R. C.; candidates nominated by this committee; and candidates of the Social Democratic Federation, the oldest of the socialistic organizations in Great Britain. These socialist candidates were not recognized either by the local Liberal organizations or by the central organizations of the Liberal party in London; and they went to the polls in nine constituencies in opposition alike to Tory and Liberal candidates, but without success, not a single Social Democrat being elected.

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The miners' candidates were adopted as the Liberal candidates in the constituencies they contested; and except in a few instances the candidates of the L. R. C. were not opposed by Liberals. The first Labor members were elected to the House of Commons in 1874. They were Burt of Morpeth and Macdonald of Stafford, both presidents of miners' unions. Between 1874 and the end of the Parliament in 1905, other Labor men were elected; most of them, though not all, trade-union officials. But before the Parliament of 1906 was chosen, the number of Labor men never exceeded seventeen, which was the strength of the Labor vote in the short-lived House of Commons elected in 1885, after the extension of the franchise by Gladstone's act of 1884.

All the Labor men in the House of Commons up to 1900, with the exception perhaps of Keir Hardie, owed their election to the support of the Liberal organizations in the constituencies from which they were chosen; and with the exceptions of Broadhurst, Howell, Cremer and Burns, these members were enabled to bear the expenses of a parliamentary contest and to maintain themselves at Westminster through the willingness of the trade unions, with which they were connected, to draw on their funds to secure direct representation in Parliament.

Until 1901, there was no national organization for securing the return of direct representatives of Labor. The National Miners' Federation, long before 1901, was committed to the policy of direct representation; but its efforts were exclusively in behalf of miners' trade-union officials, and not all of the miners' unions are of the Federation. The first national movement intended to include men in all industries, skilled and unskilled, developed out of the Trades Union Congress, and was begun in 1901. Keir Hardie and the other organizers of the Labor Representation Committee appealed to all the trade unions; and except the miners' unions, practically all of them came into the new organization and agreed to make a small levy on their members to pay twenty-five per cent of the expenses of Labor candidates at elections and to provide Labor men returned to the House of Commons with salaries of £200 a year.

Under the constitution of the L. R. C., candidates nominated

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under its auspices agree to "form a distinct group in Parliament, with its own whips and its own policy on Labor questions." It is further agreed that the Labor group shall "abstain strictly from identifying itself with any section of the Liberal or Conservative party;" and that the members of the group shall "abide by the decision of the group, and shall appear before their constituencies under the title of Labor candidates only." The object of the last clause is to differentiate the Labor members from the older Labor men in the House of Commons, such as Broadhurst, Bell, Burns, Howell and Cremer, who, in the Parliaments between 1885 and 1905, acted with the Liberals and who formed the nucleus of the group returned at the general election of 1906 as Liberal-Labor members. Keir Hardie was of the House of Commons when the L. R. C. was organized; and between 1901 and the dissolution of the Parliament of 1900-1905 he was joined by three other members, elected under the auspices of the L. R. C.

As soon as the committee was organized in 1901 the Labor propaganda was begun, and candidates were put in the field in readiness for the general election. They were nominated in some constituencies which at normal times were Liberal, but which had elected Tories at the general election held while the war was in progress in South Africa. Ultimately, an understanding was attained between the Liberal organizers in London and the L. R. C. A certain number of industrial constituencies were assigned to the Labor men; and the L. R. C. on its part agreed not to jeopardize the chances of Liberal candidates in other constituencies by nominating Labor candidates. In this way fifty L. R. C. candidates were in the field at the general election; and, except where candidates of the Social Democratic Federation were nominated, there were few of the three-cornered contests which in 1895 and 1900 had resulted in Liberal or Radical seats being handed over to the Tories.

The L. R. C. went into the elections with a parliamentary fund of £6,000 in hand. By its platform its candidates were pledged to

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The principles embodied in the Trade Disputes Bill.

The Amendment of the Compensation Act so as to give compensation to all workers in every trade from the date of the accident.

The amendment of the Truck Act to prevent stoppages of any description from wages.

The amendment of the Unemployed Act so that employment can be found at trade-union rates for those unable to obtain work.

The abolition of enforced Chinese labor in South Africa.

The establishment of a state pension fund at sixty years of age.

An extension of the Housing of the Working Classes Act.

Returning officers' fees to be a charge upon the national exchequer.

Adult suffrage.

The establishment of an eight-hour working day.

The Trade Disputes Bill, put in the forefront of the Labor program, was a measure introduced in the Parliament of 1900-1905 and supported by the Liberals and all the Labor men, to offset the decision of the House of Lords, sitting as a court of appeal, in the Taff Vale Railway case—a decision which made trade-union funds open to attack in the law courts by employers who had been damaged by the wrongful action of trade-union officials. The House of Lords' decision of 1900 was the most serious blow at trade unionism since trade unions were given a legal status in 1869; and it was in large measure directly responsible for the organization of the Labor Representation Committee.

The attitude of the new Labor party towards all other candidates—Liberal and Tory—was defined in a general appeal to trade unionists issued on the eve of the elections. "Do not vote," reads one of the paragraphs, "for any candidate who is opposed to the trade-union program. Vote for all Labor and other candidates who are prepared to resist taxes on food and industry, to support an amendment of the Education Act, and the other reforms embodied in the program of the Trades Union Congress." All trade unionists and wage-earners were also urged to work zealously for the return of Labor candidates "and to show by their determination how anxious the working classes are for an honest government, desirous of legislating for the wants and requirements of the people." "Now

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is the chance of a lifetime. Don't throw it away," continued the manifesto.

> We want something beyond the old demand for a living wage. The demand for labor today should be for a higher standard of living. In all constituencies where Labor candidates are in the field, let there be no division as to whether a Labor candidate is of one school of thought or another, as all are progressive; and vigorously show your opponents what workmen are capable of doing when they are put to the test.

A sub-committee of the Trades Union Congress issued this appeal—not the L. R. C. It was signed by members of the Liberal-Labor party and by members of the L. R. C.; and was an appeal for support for all three groups of the Labor party in the 1900–1905 House of Commons—the miners' representatives; Liberal-Labor members, of whom Burns and Broadhurst are typical; and the members of the L. R. C., who were returned to the House of Commons after the organization of the committee in 1901.

Fifty candidates were nominated by the L. R. C. Twenty-nine were elected, in addition to fourteen miners' members and fourteen Liberal-Labor candidates. There are accordingly in the new House of Commons fifty-seven Labor men of three different schools. This is more than three times the number in any Parliament since Labor members began to appear in 1874. It is only eight less than the Irish Nationalist following of Parnell after the general election of 1880, the last election on the comparatively narrow franchise established by the second Reform Act in 1867. None but miners—mostly miners' union officials—are of the exclusively trade-union group. The Liberal-Labor group is more comprehensive, as it includes four journalists; an engineer (John Burns); a grocer; a stone mason; a barge builder; and officials of the Seamen's and Firemen's Union, the Navvies' Union and the Railway Servants' Union. In the L. R. C. group there are four cotton operatives' union officials; four representatives of printers' unions; an ex-civil servant; an elementary school teacher; a grocer; and representatives of engineers, miners, bricklayers, carpenters, furniture makers, shipbuilders and boiler makers' unions. Several of

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the unions which are represented in the L. R. C. group, such as the Amalgamated Society of Engineers and the London Compositors' Society, are making parliamentary allowances to their men in addition to contributing to the general fund of the L. R. C., the fund out of which the members are receiving salaries of two hundred pounds a year.

The old school Labor members, those who are now of the Liberal-Labor group, and the Miners' group, sat with the Liberals on the government or the opposition benches, responded to the whips of the Liberal party and were closely allied with the Liberals in Parliament and in the constituencies. These relations are being continued in the new Parliament; and the Liberal-Labor group (now one less in number than at the opening of Parliament, by means of the retirement of Broadhurst and the election of a Liberal member in his place at Leicester in March last) and the fourteen miners' representatives sit on the government benches. The members of the L. R. C. group, however, sit on the benches below the gangway on the opposition side of the House in company with the Nationalists. Government whips are not sent to them; and the members of the group are so intent on maintaining their independence that although the National Liberal Club, the rendezvous of popular Liberalism in London, is open to them on terms sufficiently easy not to embarrass their finances, they have decided to hold aloof from the club.

The appearance of this new force in English politics is no surprise to students of English parliamentary and electoral history. After the franchise was extended in 1884 there were indications that such a development was in sight. Immediately following the general election of 1885, however, there came the division in the Liberal party over Home Rule. By the time England and Scotland had ceased to have any dread of Home Rule, there came the South African war and still another division in the Liberal and Radical party. The abnormal conditions prevailing from 1886 to 1903 really account, it seems to me, for the fact that Labor, although in possession of the parliamentary franchise, was so slow in making for itself a commanding place in the House of Commons.

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Never since present day Liberalism began to be traceable as a great force in English politics has a Liberal government been in so independent a position as the government which was confirmed in office by the general election of 1906. From 1830 until the incoming of the Irish Nationalists in the Parliament of 1874–80, Whig and Liberal administrations were always more or less dependent on the votes of the Irish members. Even in the Parliament of 1880–1885—the high water mark of Liberalism in the reign of Queen Victoria—Gladstone had a majority of only 42 over the combined forces of the Tories and Nationalists; and it is a matter of record that in the 1885–1886 Parliament and the Parliament of 1892–95, the Gladstone and Roseberry governments were absolutely dependent on the Nationalist vote. In the new Parliament, the Liberals have a majority of 130 over the combined vote of the Tories and protectionists, the Irish Nationalists and the twenty-nine members of the L. R. C. group. The Liberals are now free of the Irish Home Rule question; the Newcastle program of 1885 is of the past; and as the constituencies are unmistakably with the government and are eagerly looking for progressive legislation, which has fallen much into arrears during the ten years of reaction under Salisbury and Balfour, the House of Lords is not likely to prove obstructive—it is not likely that there will be any repetition of the tactics of the Upper House which characterized the enactment of the measure for the extension of the franchise and for the redistribution of electoral power in 1884 and 1885.

There are two reasons why the House of Lords will not be assertive. Except in 1884–1885 it has never since 1831 brought itself into direct and obvious antagonism to the well ascertained popular will; and it is even less likely to do so in the new Parliament because of the weak, disrupted and almost leaderless plight of the Tory party in the House of Commons, and because in the House of Lords itself there is no leader of the parliamentary ability and strength of Salisbury, who almost single-handed made the fight in the Lords over Gladstone's Parliamentary Reform Acts of 1884–1885.

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OCEAN FREIGHT RATES

AND THEIR CONTROL THROUGH COMBINATION[1]

THE sea is free, and in a consideration of its freight rates the cast-off theories of land transportation are found to apply to its principal lines of trade. The most pronounced change in the theory of land transportation is the growing recognition of the fact that competition is not the controlling force that it was once supposed to be. Upon the ocean, on the other hand, the theory of free competition still finds application. The reason for this difference between land and sea transportation will be most easily seen if one considers for a moment what constitutes the unit of transportation by land and by sea. Upon the ocean it is a single ship. Ports are open to all; the ocean is a free and toll-less highway upon which the ships of all nations may and do come and go at will. Upon land the railway train renders the similar carrying service, but the carrying unit is the railroad itself complete from end to end. The equipment for carrying a ship's cargo 3000 miles is not ten per cent more costly than that for carrying it across a narrow channel. The cost of equipment necessary for supporting a train may be roughly put at 50 to 100 per cent of the value of the train for every mile it goes. Before a train can be run 3000 miles there must have been years of labor for the building of 3000 miles of railroad, requiring the investment of one to two hundred millions of dollars in roadway, terminals, branches, feeders, repair shops, *etc.* A new competitor for this same 3000-mile service must expend another hundred or more millions prior to running the first train and, as population increases, the cost of railroad building increases because of higher land values. Equipment for sea carriage becomes cheaper year by year through the progress of invention. Ocean transportation investment requires the ownership of vehicles only—move-

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able capital. Railway transportation investment is chiefly in the form of fixed capital—road. This heavy investment of fixed capital must earn dividends where it is placed or be almost total loss. In contrast to this the steamship or sailing vessel capital is the most mobile in the world.

A discussion of ocean freight rates must be introduced by a comparison of the two distinct methods of operating ships and carrying on the transportation business: (1) charter traffic, in which the unit of operation is a single vessel working independently; and (2) line traffic, in which many ships combine to render one service.

1. *Charter traffic.*—The fact that the sea is an open highway enables any navigator to go where he will and engage singly in the carrying trade, if he wishes to do so. This absolute independence of the single ship has its economic advantages. No costs need be incurred except the necessary costs for the particular traffic in hand. In contrast with this the great steamship line must stick to its route whether harvests be good or bad. The ships must be advertised, and sent on their voyages as advertised, whether they be full of cargo or only partly full. The schedule is the soul of the line and it joins with many other costs to make the traffic of lines more costly than that of the individual vessel that is run with only the necessary costs of physical operation. If the shipper can deal in ship-load lots, he has no need of a liner. He hires a vessel of his own. The hiring is called chartering, hence "charter" traffic. The vessel, being always for hire, goes anywhere and everywhere, hence the name "tramp" traffic.

The primary qualification of line traffic is regularity and unusual speed. These entail costs, and there must be higher freight rates to make line traffic profitable. The primary object of tramp or charter traffic is cheapness with efficiency. There is room for both services. The exacting traffic, the traffic in manufactures and passengers, is increasing and with it the demand for line traffic and corporate organization. Along with this is the growing traffic in cheap and bulky goods requiring the service of unorganized cheapness. The trade of the present comprises many million tons of cheap and bulky raw mater-

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ials which must be transported in great quantities and at the lowest possible cost. These usually go in ship-load lots as charter traffic.

If steel rails, iron, locomotives or other heavy manufactures are moved in sufficient quantities, as is occasionally the case, they may become charter traffic, but the staple articles for this type of ocean work are grain, lumber, coal, ores, sugar, cotton, petroleum, nitrate of soda, jute, *etc.* This is absolutely a world trade. The chief market for wheat is Great Britain and the nearby parts of the continent, but this one commodity is shipped from the Atlantic ports of America from Galveston to Montreal, from San Francisco, Columbia River and Puget Sound on the Pacific, from the Argentine Republic and India and from Russian ports on the Baltic and Black Seas, from the Danube River and sometimes from Chile and Australia. Cryolite comes from Greenland; nitrate of soda from Chile; nickel ore from Caledonia; iron ore from Arctic Norway and tropic Cuba; jute from Calcutta; wool from New Zealand; sugar from Germany, Cuba, Java, Brazil and Peru. There is no ocean, no zone, no continent, no great island that does not contribute its threads to this world mesh which touches hundreds of ports and is constantly being threaded by thousands of ships, yet each of these voyages is a unit and usually made as the result of a particular bargain between the shipper and the carrier. Here competition reigns.

A cargo is in the warehouse and a ship at the anchorage: what shall be the rate if the ship takes the cargo? Both parties are after profits. If there is a cheaper ship in sight, the shipper takes it. If there is a better cargo in sight, the ship takes it. If cargoes are plenty and ships are scarce, the rates will soar to the point where it is cheaper to let the goods lie rather than move them at the increased rate. A 300 per cent rise in rates has occurred within a fortnight although plenty of ships were lying idle in the next ocean; but they happened to be fifty days away and the goods had to go within a month. In this case for that particular traffic the idle ships did not exist, although the next month they might be on the spot and rates might come down again to their former level. If ships are plentiful and

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cargo scarce, the ships bid for the cargo and rates go down and down. If profits cannot be made, the manager aims to cover expenses; if not whole expenses, then small loss rather than great loss, and he ties his ship up only when his operating losses exceed the loss of absolute idleness with its rapid depreciation and interest and other costs. The charter rate is a marginal rate. If there are ten ships and five cargoes, the cheapest ships get the cargo. If there are ten cargoes and five ships, only the highest paying cargoes can be moved. Fluctuations are, therefore, sharp and there seems to be a present tendency for rate depressions to be prolonged. There are several reasons for this prolongation. One is the appeal that the shipping business makes to the gambling instinct. There are seasons of great profit; ships at times pay for themselves in a year. There are also years when there is only loss, but the great prizes serve as a magnet to draw too many people into the business. It is easy for a newcomer to get into the shipping business. It requires no special knowledge. A person needs only some capital and the accquaintance of brokers who will buy him a ship and other brokers who will secure her cargo on commission.

It is a custom in the business, especially in Great Britian, for an enterprising manager to form a stock company and build a few ships which the promoter manages on a salary or commission. The ship builder or the public will often loan money on these ships so that the company has a divided financial responsibility in stock and bonds much like an American railway. The greater number of charter boats are apparently owned outright, but when depression strikes the business and there is any tendency toward maintenance of rates the manager of a mortgaged fleet is goaded to desperation by the knowledge that the holders of the bonds and probably of the stock also must have some satisfaction or his ships will be foreclosed and his company and his business wiped out. Thus the mortgaged ship is a rate depresser.

Another factor tending to prolong depression is the cheapness of new ships. When the demand for new ships falls off, the ship builders face the necessity of turning off their men. To

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prevent this they will build ships at a very low figure and keep their force together for better times.[1] During such periods of cheap ship building the manager of chartered vessels sees a good opportunity to provide himself with some thoroughly modern ships at a low figure and be ready for the hoped-for advance when it comes. If it does not come immediately, his new vessels, possessing all the latest economies and low capital cost, can be operated more favorably than older, less efficient and more costly vessels. The result of this reasoning and of the action which grows out of it is that the amount of building does not readily respond to depressions in rates, and these depressions drag on to great length because ship building continues in spite of them. The low rates which resulted from a number of causes in the spring of 1901 can scarcely be said to have had any relief till the autumn of 1905. Any signs of higher rates brought out idle ships from their moorings, and these ships promptly put the rates down to the dead level again.

Why do not the owners of vessels for hire agree upon rates and maintain them? This problem is akin to that of universal peace among nations and really does involve the harmony of many nationalities. Will the Greek, the Turk, the Chinaman and the Hindoo agree with the men of Liverpool and London, New York, Hamburg, Marseilles, Genoa and Christiania, and will they all adhere to the agreement if they make it? What if the agreement leaves a man's ship idle while the other 98 per cent of the tonnage is busy with profitable voyages at the agreed rate? By the slightest shade of undercutting he can be deluged with cargoes. Will he abide by loss that others may profit? Even if the ship owners of the world should agree, and keep their agreement, there are a thousand other men now in their employ who know the business. Capital awaits investment.

[1] These changes in the price of ships and in the prosperity of the shipping business quickly respond to the state of the carrying trade. In 1900 the chairman of a British ship-building company in addressing his stockholders said: "A ship which four years ago could be built for 70,000 pounds today would cost 100,000 pounds." In August, 1900, a freight steamer 11 years old brought at auction 30,000 pounds. In November 1901, after a break in rates, the same steamer sold for less than 18,000 pounds. See *Lloyds' Weekly Gazette*, Oct. 5, 1905, p. 638, and *Fairplay*, November 21, 1901.

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Ship builders will build new ships for any responsible party in a few months. Ships are always being sold so that you and I may buy some today, place them in the hands of a broker or agent whose business it is to find cargoes and manage ships, and behold there is competition again upon the sea. And the biting and absolutely controlling force of this competition lies in this: If 98 per cent of the shipping should be operated under a maintained rate agreement that gave good profits and there arose any dearth of cargo, the two per cent of independent ships with a rate a shade below the agreement rate would be desperately busy and profitably employed. All the idleness would be with the agreeing ships, the new building would be with the outsiders, the increase of idleness would be with the agreeing ships until their union perforce broke down because of the large number of idle ships in the union and the prosperity outside of it.

The line separating profit and loss seems to set the limit to which charter rates can possibly be raised by agreements among carriers. Above that point there is no need of agreements, since, if cargo is more abundant than ships, rates are high from natural causes and, if there is an excess of tonnage, the rate cannot be upheld for the reasons previously stated. This statement is borne out by the history of attempts at rate control and by the united opinion of ship owners themselves.

The lack of successful rate control by the owners of charter vessels cannot be charged to lack of experience in coöperation. There is a large number of shipowners' associations in all large ship-owning countries and especially in England, where the bulk of this class of shipping is owned.[1] These associations exist for nearly all the purposes that can be attained by coöperative action. The annual report of one of the Liverpool associations for 1905 describes efforts to effect favorable legislation in London; to change local harbor regulations; to pursuade the government to take action on the policy of various foreign governments toward British shipping; to change charter party forms (form of chartering agreement); to change coal trimming charges at

[1] In London alone there are at least nine such organizations.

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Cardiff; to reduce Suez Canal tolls, *etc.* One strong and growing association exists only to fight organized labor and many associations are concerned chiefly with the ever present insurance question. They are often perfectly willing to spend £5,000 in combating a case involving £100 and a precedent. One of these bodies—the North of England Protecting and Indemmity Association—reported that on December 31, 1905, there were enrolled in the association 2,470 steamers with a tonnage equal to about half of the total under the British flag. For some purposes at least the ship owners know how to coöperate.

The recent prolonged depression in freight rates which began in the spring of 1901 has produced two serious attempts at charter rate control of an international character, and their results help to show the limitations upon such efforts and their essential futility as producers of profitable rates. The condition of the shipping business in this period was such as to drive men into agreements, if any economic force could produce that result. The shipping journals were full of letters, articles and editorials proclaiming the unprofitable conditions of the trade. The president of the Clyde Steamship Owners' Association declared in his annual address, January 20, 1903, that it was hardly possible to sketch out a round voyage on which a freighter could pay expenses. A British shipowner of much experience stated in March, 1905, that "on the average, British sailing ships of over 3000 tons (dead weight) have lost about £1000 each per annum during the last three years and that smaller vessels have fared almost as badly." On December 29, 1904, *Fairplay* summarized the report of forty-nine tramp vessel owning companies for the year then ending. They had 393 vessels of 1,184,358 gross tons, capital £10,253,752 and debt £3,157,128. Assuming 5 per cent interest on the indebtedness and the customary 5 per cent for depreciation, they would have required £140,040 more than their total earnings to avoid a loss even if no allowance be made for income tax and management expenses. A month previous to the publication of the digest of these reports, the same journal had declared editorially that, "taken upon the whole, tramp tonnage is being run at a disastrous loss." At the end of 1903 a similar analysis of thirty-six

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companies showed results like those cited above, and six of the thirty-six had actual cash loss for the year on operating expenses, to say nothing of expenses of management, interest on bonds, depreciation or dividends.

In such times as these anything tending to improve the condition of rates was eagerly snapped at. The French bounty-fed sailing ships, receiving a government bounty that paid almost enough to run them, were in a position to make competition exceptionally ruinous for British and German ships of the same class. There was an international conference of these sailing vessel owners in Paris in December, 1903. It drew up a constitution for the "Sailing-ship Owners' International Union", which was to become operative when subscribed to by the owners of 75 per cent of the shipping involved. The organization, with headquarters in London, was formally launched in June, 1904, when the first rate committee announced the schedule of minimum rates for the guidance of its membership. The circular sent to the members in June, 1905, states that

> The Sailing-ship Owners' International Union . . . has to do only with vessels of 1000 tons net register and upwards, and the control of the union is in the hands of an international committee, the members of which are appointed annually by the various nationalities in agreed-on proportions.
>
> Although it is obvious that much good work might be done in many directions by such an international association, the only object of the union for the present is the binding together of sailing-ship owners not to accept less than certain agreed-on rates of freight for the principal homeward voyages in which sailing-ships engage, and members of the union are bound under a penalty not to charter their vessels at a lower rate than the minimum prescribed by the committee of the union for any particular voyage.
>
> The intention of the union is not to push up freights to such an extent as to oppress shippers or check business, but to prevent the ruinous competition which has come into the business and reduced freights to such a point that they could not possibly pay expenses, and in many cases were leaving heavy losses to owners.
>
> The union was originally started on the basis of not less than 75 per cent of the British, French and German tonnage interest being included, but for 1905 the percentage has risen to 87 per cent.

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By November, 1905, the seventh freight circular had been issued, but most of the rates had remained unchanged, except to permit a small reduction to cargoes of over 2500 tons. The organization is still in healthy existence. Its limitations become apparent when it is noted that it applies only to the longest voyages, namely, the Pacific coast of North and South America, Australia and New Caledonia to Europe, and that it covers only the return voyage, leaving absolute freedom for the outgoing voyage and for all other trades.

A shipowner who had been influential in promoting the Union said of it in a letter in December, 1905:

This Sailing-ship Union would never have come into existence if it had not been for the French sailing-ship bounties and the absurd manner in which these bounties are paid. If the French ships had been competing on level terms, there would have been no need of any union. So far as I know there has been no attempt on similar lines to control sailing vessel rates in the past, and I know of no combination among shipowners which has held together as this one has done. The minimum rates adopted are intended to prevent loss rather than make gain. In most cases they are lower than cost, taking into account the outward rates that have been ruling, and which, of course, come into the calculation for the round voyage. The idea of the union, however, has been, if possible, to steady the freights, interfering as little as possible with the ordinary course of business and the natural fluctuations of the market. At the present time, unfortunately, the only place from which anything in excess of the minimum rate is obtainable is from Australia, the conditions of the markets on the Pacific coast both of North and South America being such that the minimum rate is barely obtainable. The minimum rate applies to vessels of 2500 tons, and for every increase on this size a slight reduction is allowable, as it was found that the larger ships could not get employment as long as the smaller vessels were available on exactly the same terms.

As far as the members of the union are concerned, the minimum rates have been maintained wherever they have been fixed, say west coast North and South America and Australia. Unfortunately, owing to the want of cargo on the west coast of North America, and the accumulation of tonnage in South America, various union ships have been unable to get the minimum rate and have required to move in ballast to some other part of the world where prospects were better. The small percentage of ships still outside the union, moreover, has at

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various times caused trouble by cutting in just under the union rate. The prospects are, however, that for next year fewer ships will be outside the union.

An owner with a fleet of vessels in the union states its advantages thus: "I think you might put it that they provide for a small loss rather than a great loss. This has undoubtedly been for the advantage of sailing-ship owners". The advantages of being among the few outside the union are shown by recent freight quotations. The San Francisco *Chronicle*, January 28, 1906, states that "apparently anything willing to take less than combination rates is promptly picked up". On February 18, the same journal stated: "Freights continue lifeless to the United Kingdom as well from the north as from here. Charterers are not willing to pay combination rates, and it makes a deadlock for the present". That deadlock means ships lying idle in the harbor, eating up the owners' bank account. If that were being tried when a two per cent cut on a profitable rate would give employment, it is not likely that the union would long survive.

The small scope and importance of this union as a force in the control of world rates appears from considering that it is limited (1) to minimum rates which are on a basis that affords no profit (*e.g.* wheat 22 s. 6 d. from San Francisco to Liverpool); (2) to certain long voyages; (3) to returning voyage only; (4) to vessels of certain size only; (5) to sailing vessels only, when sailing vessels all told are not now doing over eight per cent of the work of ocean transportation.

The same conditions of depression that drove the sailing vessel owners to Paris brought about a somewhat similar conference of steamship owners in Copenhagen in February, 1905. The success of the sailing vessel owners was one of the reasons that led to the assembling of those interested in the commerce of the Baltic and White Seas. This narrow geographic unit has corresponding to it what might almost be called a commodity unity also. The trade is predominantly in wood and lumber. The great world markets for oversea lumber are the United Kingdom, Germany, Holland, Belgium and France. This import trade amounts to more than 15,000,000 tons, and less than

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a fifth of it comes from across the Atlantic. The remainder, or more than 12,000,000 tons, is shipped from Norway, Sweden and Russia. This is one of the greatest items in the world's trade.[1]

This traffic, while international, is little greater in geographic extent than is the traffic of the American Great Lakes. Some of the leading shipowners dissatisfied with unprofitable timber carrying, conferred for three days at Copenhagen in February, 1905, and fixed a minimum scale of rates for the various ports, and then went back to their various countries to work up support for the scheme so that it might be put in force at another conference in June. In this they were successful, but only as regards the outgoing rate on lumber. The total tonnage affected by this agreement is only about 1,612,000 divided among 1,048 steamships. Although this Baltic and White Sea agreement is purely local in character it is the most comprehensive among charter steamship owners that has as yet been seriously considered.

II. *Line traffic and the transatlantic situation.*—Line traffic upon the sea presents several distinct contrasts with the charter traffic in the matter of rates and the ease and extent of competition which I have been considering. One of these differences arises because of the size of the unit of competition. In charter traffic the unit is merely a ship, while in the line it is a number of ships—enough to give a rival service. This may include a considerable number of large and expensive ships and an organization of agents on the land to manage and solicit traffic. This fact of the size of the unit is a deterring influence in competition merely because it is easier to do a small thing than a larger one of the same kind. Other conditions of free competition remain the same. The same freedom of the sea and of port facilities exists, and for all line traffic the fundamental rate-governing force is competition in the form of charter rates. If the line rate rises, tramps flock in and even it up. This was clearly stated by Sir Thomas Sutherland at the sixty-third annual meeting of the stockholders of the Peninsular and Oriental Steamship

[1] American wheat exports amount to from four to seven million tons per year and sugar (about 2,000,000 tons) is our heaviest import.

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Company, in December, 1903. In commenting on the low rates received that year by the line steamers of his great company he said:

> But as a matter of fact, it is the world's tonnage at large, the cargo-carrying tonnage of the world at large, which dictates, or rather determines the current rates of freight both by cargo steamers and by mail steamers, and we are simply dragged into the wake of that great movement, as, I suppose, the great American combine [1] has already discovered by this time.

This statement of the influence of the charter vessels upon the rate for line ships is very easily understood by noting the ease with whch a considerable share of line traffic may be diverted to charter vessels or charter traffic to line vessels if the gap between the rates of the two services becomes too great in one case or too small in the other. Within certain limits the two must rise and fall together.

A second difference is that line competition has an element of vindictiveness, retaliation or penalization unknown in tramp competition. The tramp can cut under the current rates, get her cargo and go. She has freedom from the direct rate effects of her action and there is no retaliation possible. If one line goes under the existing rate, it is probable that the others must do it also to get their share of the traffic. Then no one is any better off than before; all are worse off from the reduced income and are ready to punish the party responsible for the loss. Consequently the rate-cut among lines often leads to a rate war during the continuance of which both parties lose heavily. There is accordingly often a common rate without any formal agreement. No one wants to cut the rate and run the risk of a rate war. The normal situation thus resembles more closely an armed truce than any other relationship.

A third difference between the competition of the two types of service arises from the irresponsibility of the tramp manager with regard to demoralizing the market. As each bargain is a law unto itself, the manager may demoralize the market by his

[1] A reference to the financial difficulties of the International Mercantile Marine Company, which, despite its great size, had had little or no beneficial effect on rates.

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rate making and sail his ship away into the great world, and her next contract may be made three months later in the antipodes. It will be under other conditions, probably little if at all affected by her present rates. It is otherwise with the liner. She is practically fixed to a certain route, she ordinarily sails from a certain port to a certain other port or series of ports and comes back again to repeat the same voyage. The line vessel that cuts rates must suffer the consequences because the line continues to do business in that port and must deal with the demoralized rates. The line has customers whose interests must be protected. Shippers of course prefer the regularity of the line; and the natural law which makes the tramp irresponsible and the liner responsible forces a certain amount of parallel if not united action among the managers of lines.

The common knowledge among a community of shippers drives to common action. It is necessary and inevitable that all ocean lines competing in the same port know what the others are doing. It is necessary because if they did not know of the actions of rivals, one carrier, by cutting the rate the smallest shade, would get the lion's share of the business. It is inevitable that they know because of the constant search of the shippers and their brokers for cheap rates and their dilligent efforts to get contracts at the lowest possible rates.

Starting with this fact of common knowledge and parallel action among obstinate rivals there is great variety in the stages of mutual action among steamship lines, ranging from rate agreements and division of territory to freight and profit pools. Theoretically it is easy to control the rates or traffic conditions among ocean lines. All that is needed is that the ocean lines that might compete shall agree on conditions and maintain them. In some trades this is practiced in all its simplicity, but the larger the trade, the greater the difficulty, a difficulty amounting in the case of the transatlantic trade to practical impossibility so far as rates are concerned.

There is probably less organization and less rate control among the carriers in the transatlantic trade than in any other in the world. At least four reasons appear as partial explanations of this condition: (1) the size of the trade; (2) the effect of

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grain and raw materials; (3) the many nationalities involved and the consequent difficulty of their coöperation; (4) inland freight differentials by railroads. I shall consider these in order.

The stupendous size of the trade from America to Europe puts it almost or quite beyond the limits of what the human mind can grasp, control and weld into an agreeing whole. In 1902 when the International Mercantile Marine Co. was forming it was stated that this trade was giving employment to about three million tons of shipping. The Morgan interests succeeded at great and probably ruinous financial sacrifice in getting possession of but one-third of this, and with it they have steadily met losses that threaten to engulf them. The remaining two million or more tons of shipping working here are possessed by many owners having little common interest.

For this trade the United States and Canada are one. American goods go down the St. Lawerence and Canadian goods go out by United States Middle Atlantic ports. The peculiar geographic form and transportation conditions of the center of North America make easy the access from the central region to the sea at any point between Montreal and New Orleans and Galveston. If Montreal rates do not suit, the shipper in the central basin will turn to Boston or New York or Philadelphia, or Baltimore or Newport News or New Orleans. The transatlantic traffic is, at its American end, one traffic despite the variety of the geographic factors involved in the trade of all America with all Europe, and a rate agreement to be successful must cover the whole. Possibilities of effective combinations are very different in a trade like that from the same coasts to Australia, which requires four or five steamers per month all from one port instead of fifteen or twenty per day from a long row of rival ports. The lack of any corresponding geographic or commercial unity in Europe causes the carrying trade with America to fall at its eastern end into three main divisions: (1) the United Kingdom, (2) the continent, (3) the Mediterranean. The trade of each of these divisions with America makes the usual unit in rate problems and plans although they sometimes apply to the smaller unit of the carriers to a certain European port.

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The second factor of confusion in transatlantic rates is grain, the great staple commodity in the transatlantic cargo. To begin with, this is essentially charter vessel cargo and the liner that gets it must bid down for it; hence the rate is prevailingly lower on line than on charter vessels. The line vessels make this sacrifice of space because grain serves as good ballast. A certain amount of it brings the ship down to her intended draught and causes her to sail better. In connection with higher class freight the difference is that between profit and loss. Grain, therefore, brings the line vessel in direct competition with the tramp. If grain is abundant the ships can usually fill up at good rates; but if it is scarce, many of the ships must have it at any price. There are cases on record of grain being carried for nothing. With such an imperative demand rate agreements are difficult to enforce. The frequent fluctuations in the grain supply are familiar to all. The shipping on the Atlantic must be able to handle, when it comes, the large surplus above America's growing requirements. This surplus varies. In 1904 the grain and flour exports from the United States to Europe amounted to about four and a half million tons. The preceding year the same commodities furnished seven and one-half million tons of freight. Since the grain trade is irregular in quantity, it renders the transatlantic trade hard to organize through rate agreements. The fact that the unit of shipment is large, usually tens of thousands of bushels, gives the smallest fraction of rate difference a deciding influence.

In a trade as great as that across the Atlantic there are possibilities of numerous small agreements which have limited scope but can yet do something to steady conditions in given grades of exports and benefit shipper and carrier alike. It is possible for two lines from the same port to have some kind of an understanding, and it is possible for the carriers to any one European port to get together, as do the London and Liverpool carriers. This is made easy and almost necessary by the fact that nearly all the freighting arrangements and final bargains for the New York lines are made on the floor of the Produce Exchange by freight brokers representing the shippers, and the agents or representatives of the steamship lines. Not

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only are New York freight bargains, and therefore rates, made there, but nearly every steamship line sailing from America, whether it be from Montreal or Galveston, is represented. Most of the important American railroads also have representatives there trying to get seaboard work for their lines. It is therefore physically easy for the representatives of any group of traders to get together, and temporary agreements without number have been made and constantly are made.

The carriers are always seeking agreement rather than competition. Where two principals of competing services send their representatives on "change" in the daily search for freight it is with instructions to get the best rates that can be obtained, to work together to that common end and not rashly to disturb rates for the sake of a small lot of visible freight, as this causes dissatisfaction among shippers in addition to reducing income. Sane business demands as much.

The freight market is governed in the main by supply and demand, but the minor adjustments are made by continuous conference. One agent on the floor of the exchange says to the representative of a rival line: "We are holding for 8/ on flour for next week's sailing. What are you booking for"? "7/6" "Well you are making a mistake, you had better hold for 8/." "All right, we will, if we can." A day later the second party may announce to the first that he is not getting any flour at 8/ and may declare his intention to quote a 7/6 rate. The first may or may not adopt the same rate, but for one day at least there has been an attempt at an understanding. Not a stroke of writing is involved, no contract, no penalties, no time limit, and there is perfect freedom of secession. The traders to any city or country may get together daily or weekly and make agreements to last till the next meeting. Sometimes the agreements are more formal and may last for a considerable period, but their existence at best is precarious. For example, about 1880 there was a Liverpool agreement (minimum) on grain along the Atlantic seaboard. Port by port it was broken at all the "out ports" but still stood at New York until at last a firm of brokers bought a steamer badly in need of repairs which were to be made in England. She could get no freight at the agreed minimum and her owners

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cut the rate a farthing, took the cargo and ended the agreement which had until that time been observed.

It is more than accident that the name of an ocean freight agreement is a "conference" as the "South African Shipping Conference" or the "Transatlantic Shipping Conference." The name is indicative of the method of formation and often of the actual result. There has been a "Transatlantic Shipping Conference" since 1868. As the date indicates it was the outgrowth of the disturbances of the American Civil war and of the final triumph of the steam lines over the sailing lines in this trade. This conference has attempted little in the direction of the formation and regulation of rates. It has busied itself with numerous other matters of importance to all Atlantic carriers. For example, it has worked for changes in the printed form of bills of lading for the benefit of the carrier; it has secured a practically uniform bill of lading; it negotiated with the National Lumbermen's Association for certain improvements in the method of receiving and inspecting lumber for export; it acts in behalf of all in regard to legislation on quarantines, channels, *etc.* In 1902 this conference, with operating headquarters in New York was made the mechanism for the carrying out of a minimum freight agreement to the United Kingdom which was made in Liverpool and planned for the relief of all interests. The transatlantic carriers were suffering from a rate depression which in twelve months had cut their earnings from exceptional prosperity to hopeless loss. At one time this agreement included forty-six lines and services.

The rate agreement involves of necessity a rate classification —a task beset with difficulties. One commodity may be incidental to one line and fundamental to another. For good loading and best income a ship must have a mixture of heavy and light goods. A ship full of wooden ware or furniture would ride high in the water with unused buoyancy. She would even be in grave danger of overturning. A shipload of steel rails would leave three-fourths of the hold space absolutely empty. By combining these two classes of freight a ship can carry at one time three-fourths of a full cargo of rails and three-fourths of a full cargo of light goods, and at the same time be in the

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best possible shape for safe navigation. This advantage of mixed cargo gives the loading agent a perennial but ever-changing problem. He is seeking some particular kind of freight to complete a ship's cargo; having already made good contracts for light goods, he wants a thousand tons of heavy cargo to make the ship ride well. He must have it, and it may be that the contracts already made provide almost enough income for the voyage. He would willingly, therefore, cut the rate to get heavy cargo. But there stands the agreement, and the heavy goods can only be had at forbidden rates. The attempt to lay down a classification for the numerous lines and services results every day in some firm having a strong desire to break the rate on some commodity, and in the course of time every shipper desires at some time to break almost every rate.

Shipowners are not prone to make public the details of their little known business and it is fortunate for the writer's purpose that the Atlantic Shipping Conference got dragged into the Interstate Commerce Commission hearings on differential rates to the various Atlantic ports. The detailed history of this agreement as narrated in testimony before the Commission[1] reads like a description of an attempt at making ropes of sand. The original agreement, made in Liverpool, January, 1902, was signed by nearly all lines plying between the Atlantic seaboard and the United Kingdom and the testimony showed that lines not signers were, at the beginning at least, observing the same rates. The agreement showed its inherent weakness by providing that

> Any of the signers may withdraw from same at the expiration of fourteen days after the receipt by others of his or their desire to do so, and the withdrawal of one shall *ipso facto* release the others from their obligations under this agreement unless they may otherwise determine.

The inherently competitive nature of their business drove the companies to this device of unanimous consent to any action, and unanimous consent, as may easily be seen, reduced the sphere of action to small proportions, but without it no agree-

[1] Differential Freight Rate Case 746, N. Y. vol. i, May 18–20, 1904, pp. 303–502. See also N. Y. vol. ii, June 20 and 21, pp. 1002–1042.

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ment was possible. The life of the agreement was one rapid series of adjustments and readjustments, concessions and compromises, made necessary to heal the dissatisfaction of some line which had served notice of its intention to withdraw. Finally, after an existence of two years and four days, a break in rates brought about such a condition that the final meeting of the conference found that there was no proposition upon which they could unite, although several of the many attempts were negatived by the votes of but one or two lines. The agreement was thereby ended, but the carriers to London met again the same day and continued the agreement so far as the American trade to that port was concerned.

During the life of the general agreement the committee of management had frequent meetings in New York and some changes were affected by correspondence through the secretary's office. Rates were promulgated for trial during two or three weeks, and the life of the agreement was continued from meeting to meeting, These extensions never covered so much as one month, and one week was the more common period of their duration. The rates were fixed with differentials to make living conditions for all ports. This included the right to adjust out of the rate any marine insurance differences between the port in question and New York and Boston. From time to time difficulties arose and concessions in rates would be granted, permitting the carriers from a certain port or ports to cut the rate a certain amount to secure a prescribed maximum amount of named articles of freight in order to get ballast, after which the usual rates were resumed. The converse of this was also practiced when certain ports refused to carry certain commodities for a period so that other ports might get their share. This refusal to carry was brought about by the mere quotation of a rate sufficiently high to drive the freight to the ports agreed upon. Witnesses stoutly maintained that there was no percentage division of traffic, and minutes placed in evidence showed that the following motion was lost at the last meeting of the conferees: "That a committee be appointed to arrive at some equitable way of dividing the results of the traffic, if not by a physical division, then by pooling the earnings."

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Special agreements to change temporarily the conditions of shipment from certain American ports were duplicated by similar agreements concerning the carrying of goods to certain of the European ports. The agreement covered only named articles; the list was occasionally changed, or the rates on single commodities altered. At times the desire to compete would be gratified by withdrawing the agreement on a certain article or articles for a named period, and when the London agreement succeeded the general agreement, February 4, 1904, it postponed the enforcement of its rate on flour until May 1. It must be borne in mind that these rates were minimum rates only. Higher rates were always hoped for, and in at least one case they were definitely recommended by the conferees. The changing nature of ocean rates and the method of their making is indicated by the telegram from the Allen line at Montreal to the secretary of the conference, stating that "We are accustomed to revise our rates weekly on Fridays, in conference with the other lines [at Montreal]. The rate on sacks [flour] to Liverpool will be discussed tomorrow, and the result will be communicated to you by telegraph."

In summary it may be said that the minimum freight agreement did control rates from the Atlantic seaboard to the United Kingdom for two years. The agreement practically covered only articles essentially requisite as ballast cargo. The owners intended by this so-called minimum agreement to lay down the principle that they would rather not carry than go below the rates they named. To show the economy of transatlantic service it is only necessary to state that the minimum on flour was 8.44 cents per hundred pounds, and on provisions (meats) $2.50 per ton.

Even this feeble minimum freight agreement was rendered nugatory by the American railway differentials between the interior and the seaboard. Montreal, Philadelphia, Baltimore, Newport News and Norfolk had since the early eighties, as a result of railway agreements, a lower rate on heavy articles than New York, Boston or Portland. The ocean freight agreement had this differential to deal with. In the beginning the full differential of three cents per hundred on flour was equalized

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by adjusting ocean rates, thus establishing a common through rate to Europe *via* all ports. Later the inland differential was reduced gradually to one-half, but in the end it was on this point that the 1902 agreement was wrecked. The end was due to the demand of a Boston line for full equalization in through rates by ocean adjustment. This was declined by a line from Baltimore, which refused to submit to sea differentials that absolutely wiped out the advantage of the land differential.

As stated above the disruption of the general agreement in February, 1904, was not the end of the practice of rate agreements. It was the end of the service of the Transatlantic Shipping Conference as the means for conducting a rate agreement. The general federation broke up into practically the component parts that had formed it, and these went on as before. The London traders met immediately and continued the agreement so far as it affected them and their agreement is still in operation. The Glasgow traders and various other traders after the general break gathered themselves together as before and made and informally maintained their agreements. Forty-six services, embracing all the complications of the trade of a continent, were too many to be harmonized under one management—at least at the first attempt.[1]

A complicating element in any such rate agreement as that described above is the ownership of steamship lines by railways. The Canadian-Pacific openly owns a transatlantic steamship company and other transatlantic lines are practically in the same condition. These lines are particularly hard to satisfy in any ocean rate agreement because the motives of their managers differ from those dominating the purely ocean carriers. The railway steamship line is merely a feeder to the vastly more valuable railroad. The combined management can easily afford to lose some money on the ships to get more freight for the railroad. Private car lines and their mileage rebates and other indirect cuts in through rates have also entered in as factors here.

[1] Space prohibits any detailed narration of the agreements and wars in the trade of the United States with the continent and with the Mediterranean. It should be noted that the scope of the operations of the Hamburg-America Company and its monopoly of the port of Hamburg makes it a conference in itself.

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The result is that satisfactory agreements are made with extreme difficulty between steamship lines that are *bona fide* investments and those that are mere props to a modern American railroad system.

This adjunct—an ocean carrier with different and additional motives for cutting rates—has moreover easy means of hiding its policy. For practical purposes the through rate from the inland point to Europe may be easily cut. The other steamship lines may remonstrate, and be informed that the ocean rate is being maintained. This may be literally true; but since the railway and the steamship line are financially one, a cut in the railway rate has the same effect upon competitors as a reduction in the steamship rate.

The formation of the International Mercantile Marine Company was intended to effect savings through consolidation and to control transatlantic rates. During the period of the Boer war ocean rates everywhere were prosperously high and all carriers made unwonted dividends and added phenomenal sums to their reserve funds. In the spring of 1901 rates went down to the loss point and with large ship-building operations still in progress there was no relief in sight. Early in 1902 the minimum rate agreement was made, but it was never counted upon as a dividend earner. It was made merely to prevent rates from sinking below the cost of handling in and out of the ship. During this same winter and spring the Morgan combination was in process of negotiation and formation. The aim was to make it as large as possible; large enough to exercise, with the aid of its German allies, a controlling, supporting and steadying influence on rates for both passengers and freight. There was apparently no idea of excessive monopoly rates, but there was confidence of easy control and of avoiding rapid fluctuations and the low points of depression that had at recurring intervals been bringing loss. The path to this goal was beset with difficulties. In the first place, some of the lines that were bought could be secured only at extravagant prices, and the capital was still further increased by stock-watering in the style of franchise-tenure finance. The Cunard line, one of the greatest factors in the North Atlantic and from this distance apparently an es-

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sential to the success of the venture, could not be bought because the stock was in strong hands. The alarmed British nation came to the rescue with new mail contracts and loans at low rates for new and faster ships.[1] The two great subsidized German lines, with the personal backing of the emperor and the strong financial and moral support of the rest of the government, appear to have been impressed by the promising force of the new undertaking. They made an offensive and defensive alliance with the combine, and later joined with them in the purchase of the Holland-American line, leaving the French line the only remaining continental interest of the first rank, and with it they have apparently since concluded a firm alliance.

As a rate controller the great corporation of Mr. Morgan and Mr. Griscom has been a failure. Ocean rates showed no indication of new influences in the autumn of 1902 when the new company went into operation. The combine and its allies have had to deal with a world condition of depression in ocean rates, and they have had the lively competition of the Cunard line, which has had a more independent attitude than any of the other and smaller independent lines. It is an old, well established, conservatively financed and admirably located line, which is in a position to hit back with equal or better force after every move the Mercantile Marine or their associates may make in competition against it. The fast services of the combine are rivalled at Liverpool by that of the Cunard, and the continental emigrant business is drawn off at the Adriatic side door. The Cunards could not be absorbed at formation, they have not been coerced by competition and rate wars, and the conditions of truce under which the rivals have at times been acting in the intervals do not seem yet to have reached a basis for long duration. In addition to Atlantic competition, the International Mercantile Marine Company, which is essentially a carrier from Atlantic ports, has had to meet the vigorous and uncompromising efforts of the Illinois Central and other Gulf railroads in

[1] The general public thought this was a great aid to the Cunards. Some of the New York leaders in transatlantic shipping think that the government agreement is a handicap to the Cunard line because in consequence of it $13,000,000 are tied up in two ships.

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building up Gulf commerce in bulk goods at the expense of the Atlantic ports.

The independent, competitive and chaotic condition existing among the lines connecting the United Kingdom and the United States is in very marked contrast to that of the continental American carriers. There are but two German transatlantic lines of importance—the North German Lloyd and the Hamburg-American. They represent the culmination of a series of consolidations that ended competition in their respective ports. They never actually wage war on one other, and where their pockets are affected they are astonishingly agile in getting the best results for both, yet standing together to prevent encroachment by any new concern. With their close traffic understandings and pooling arrangements, with their alliances with the International Mercantile Marine Company's Red Star line and the French line, and with the joint control of the Holland-American line, a remarkable front is presented by these five dominant companies in the continental freight business.

A freight classification in the ocean-carrying trade is a sign of great stability. The shipowner in the Liverpool-New York trade hardly knows what freight classifications are. His life is a turmoil and a scramble for freight. He cannot make a classification because the exigencies of his competitive business would make him break class *i* before he had completed class *vi*, so he does not classify. But the Germans do. The North German Lloyd and its three partners just mentioned have a west-bound freight classification of six classes. That for 1906 was printed and distributed in New York in November, 1905. It divides freight into six classes and it is currently reported in shipping circles that the rates are maintained as announced.

The character of the goods has a profound influence on rate making and classifying as is shown by the different practices of the Germans in the east and west-bound trade. They can maintain a rate going west but do not attempt to do so on east-bound traffic. The difference is largely due to the character of the freight. The trade to the west is largely valuable manufactures which can pay high rates. It is in these goods that the classification holds. The six classes do not provide for all articles.

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Heavy freight is almost excluded from the classification and reserved for special arrangements which are estimated to cover at least 25 per cent of the traffic of one of these lines. As the east-bound freight is nearly all heavy freight, it is all reserved for special arrangements. This is necessary because goods of this character cannot bear high freight charges and would go to their destination by transhipment from British, Dutch, Belgian or French ports if the German lines were not free to meet the current rates. The freight rates on west-bound goods, though high per ton, are really low in percentage of value of the goods. This high value makes it unprofitable for much of this class of freight to lose any time in following slower, more devious, but cheaper routes. Hence it becomes the easy prey of the carriers with agreements and classifications. The London carriers are unique among British-American carriers in that they have a freight classification. It has seven classes and was formed in 1901 by crystallizing the results of long practice. It is instructive to note that it is in a trade controlled by few and strong hands, and it covers but an estimated 10 per cent of the traffic—the higher class manufactures. On the other 90 per cent, the agreeing London carriers feel that they must be free to meet the market, which sets the rate for all freight moving in great quantities.

Why do the ocean carriers from Germany to America agree so completely while those from Great Britain compete so constantly? There are at least three reasons that may be cited in partial explanation. The first is the much smaller size of German maritime operations and the smaller shore-line that this commerce serves. In Germany there are but two ports engaged in Atlantic foreign trade, and agreement is geographically simple. In England there are three different coasts and at least six ports of the first magnitude and many smaller ones, and each strives to get a larger share of the national commerce. The second reason may be found in the national characteristics. The Englishman loves his independence and will undergo financial privations to have it. The third reason is the influence of the German government. The great German steamship companies are probably more nearly a part of the government than any

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other important lines in the world. They receive heavy subsidies and are benefited by the great desire of Germany to be a sea power. A part of the subsidy is in the form of special railroad rates on export goods on the government railways. The personal side of this government relation, the lively interest of the German emperor, who uses the great force of his personal and social prestige to uphold this branch of German sea power, is also important.

Will the greater part of the carrying trade upon the North Atlantic ever be controlled by stable agreements? As has been previously pointed out, the difficulties are many, but the chances of agreement seem better for the future than they have ever been in the past. Several reasons for this may be mentioned:

1. The companies are steadily getting larger and the time has now been reached when the agreement of seven or eight interests would produce a minimum agreement that might hold if a satisfactory freight classification, omitting grain and flour, should be made.

2. Grain, long the great staple of the east-bound trade, is now becoming of less relative importance in the trade because of the great increase in manufactured goods. This freight change is favorable to rate control because manufacturers will stand a much higher and more steady rate than that paid by grain.

3. Recent improvements in ship building have practically emancipated the newer ships from their old dependence upon grain. When they had to have it as ballast, they were willing to bid low to get it. Now the newer ships admit water into their ballast tanks, and they no longer depend on grain if it does not pay them as freight. The lowest mark in grain from New York to Liverpool occurred prior to 1890 before the general introduction of water ballast.

4. The losses of the last great depression have brought home to the ship-owning fraternity the necessity of some protection, and they have had some rather valuable object lessons in the various attempts that have been made to alleviate the situation. One of these object lessons is the passenger agreements which have been much more successful than the freight agreements.

There are some principles any freight agreement must observe.

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It must limit itself to a minimum and there must be rather frequent readjustments of rates and of traffic divisions. It is because of the necessity of readjustments of traffic divisions that most of these arrangements in other trades have come to their end. The steamship companies will probably have to do as the railroads do, agree on a rate, but compete in some of the other forms that competition may take, readjusting their agreements with resulting changes in conditions. The aim of steamship rate agreements should be to maintain living rates and leave all parties free to grow and develop and then readjust without a resort to the rate wars which now come so easily. This is no simple task, and it is further complicated by the fact that it is impossible to establish and maintain a rate which prohibits the export of produce to a competitive market. Those interested in shipping think that they have been much more ready to make rate concessions for this than the American railroads. This is, of course, in part because while the railroads, during the last five years, have been crowded with domestic traffic, the steamship lines have been sorely pushed for freight.

The prompt concessions made by the Atlantic steamship lines have unquestionably rendered a valuable service to America's export trade. As one carrier expressed it: "If the hog crop in Austro-Hungary is larger than usual, it affects the provision market of the whole continent, and we have to reduce the rate on Chicago packing-house products to get them on the market. And the rate on southern cotton-seed oil is always the same as the rate on provisions." The tremendous force of competition and the steadily growing passenger traffic have made astonishing improvements in the service and the ships. The economies of size and the demand for it on the part of passengers is bringing to the North Atlantic an increasing fleet that is not likely to be for any long period unable to cope with a freight traffic which is declining in bulk. The future promises a continuance of the conditions that make for rate concessions for exports and which permit the maintenance of satisfactory rates only through some form of agreement.

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THE LEGAL POSITION OF GERMAN WORKMEN.

A UNIFORM body of laws regulating the position of labor, its franchises and rights, and imposing the limitations within which these franchises and rights can be exercised, does not exist in Germany. For the explanation of this singular fact, it is necessary first to bear in mind the political composition of the country. Germany is not one state but twenty-six states; and while many identical labor laws have been passed for the whole of the empire there remain departments of labor legislation in which the old particularism has persisted. Moreover, Germany presents the interesting spectacle of an industrial country in which modern economic innovations and ancient survivals exist side by side. Observing the remarkable expansion of German industry and commerce in recent years, one is apt to forget that the era of the factory, the era of production on a large scale (*Grossbetrieb*), is still young in that country, and that alongside the factory system, as western countries know it, there continues still, in a condition if not of buoyant vigor yet of unmistakable vitality, the guild system, which elsewhere surrendered long ago to the pressure of adverse economic forces. Hence it is that the earnest efforts of the more conservative labor law reformers in Germany have for many years been directed towards helping the guilds to adapt themselves to the altered conditions of modern days, so enabling them to retain something of their old and tried capacity for usefulness. Hence it is also that there have come into existence two collateral series of labor laws and regulations—those dealing with the factory population on the one hand, and those regulating the relationships of guild masters, their journeymen and their apprentices on the other. Other laws, bearing on subjects of common interest, apply equally, of course, to both classes of workers.

The fundamental charter of labor rights in Germany is the industrial code (*Gewerbeordnung*). Enacted originally in 1861

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for the North German confederation, the code was appropriated bodily as an imperial law by the constitution of the new empire in 1871, and by the beginning of 1873 it had been extended in practice to all the states, Alsace-Lorraine, however, being exempted until 1889. Since then a score or so of amendments (*Novellen*) have been introduced, alike by addition, modification and omission, the principal changes following the thoroughgoing revisions of the code in 1883 and 1891, the latter as a consequence of the Berlin Labor Conference of the preceding year. In truth the revolution in industry which followed the establishment of the empire and the striking stimulus which was then given to the nation's mercantile life and enterprise made many of the provisions of the first code inadequate, while the altered conditions of production and labor called for a multitude of new regulations in the interest of the welfare and the convenience of the workers. Thus among the subjects of legislation which have been added to the code in later years are the restriction of Sunday work, the limitation of the employment of female and juvenile workers and the protection of the workman's life, limb and health.

But the industrial code is by no means the great charter of the factory workers only. Primarily, indeed, these were not the special objects of its concern. Originating at a time when factory labor had not secured the dominant position which belongs to it at the present day, it was the older economic relationships—the relationships between the master craftsman and his journeymen and apprentices—which it sought to regulate and control, and the factory working classes were included within its survey just where the conditions of service were sufficiently identical. It is noticeable, however, that even down to the present time there are large classes of employees who are in some respects beyond the scope of the industrial code and whose principal rights are secured by other and particular laws. Such are shop employees, both assistants and (in most matters) apprentices, seamen,[1] miners, state and municipal servants, railway employees, employees in state workshops, workpeople connected

[1] The code applies to all employees in inland navigation save in so far as they are affected by a special law of June 15, 1895.

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with gas and water works, agricultural laborers and domestic servants. Nevertheless, it is to the industrial code that we must go for a typical picture of the legal status of labor in Germany under normal conditions.

The code does not say what classes of employees exclusively rank as "industrial workpeople." It does, indeed, specify certain classes as covered by this term—journeymen, assistants, apprentices, officials of works (*Betriebsbeamte*), overseers, technical employees[2] and factory operatives—and it defines "industrial workpeople" as those who "are in the service of an independent conductor of an industry (*Gewerbetreibender*) and whose labor is devoted to industrial purposes on his behalf," but it does not draw definite lines.

It is questionable, for example, whether houseworkers are to be counted as "industrial workpeople." The question of who is and who is not an "industrial workman" has given rise to constant disputes in the industrial courts, and a multitude of decisions have been promulgated, not everyone of which, by any means, has had the effect of producing clearness and certitude.

The contract of service.—On the subject of the labor contract, the basis of the economic relationship between employer and employed, the civil code and the industrial code contain the following provisions:

> By the service contract (*Dienstvertrag*) the one who undertakes service is obliged to perform the promised service and the other is obliged to grant the recompense agreed upon. Services of every kind may be the object of the service contract. [Civil code, sec. 611.]
>
> The determination of the relationship between the independent conductors of industry and the industrial workpeople is, subject to the limitations imposed by imperial law, matter of voluntary agreement. [Industrial code, sec. 105.]

While in general employer and workman are thus left to make whatever contracts they please, certain claims on the former's part and certain obligations on the latter's are excluded, owing

[2] The term *Techniker* covers all employees in industrial concerns, whose duties presuppose special technical training; as, for example, chemists, draughtsmen, mechanical engineers, building engineers, *etc.*

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to the recognition by German law of the fact that the workman, though theoretically free and independent, is not always so in practice, and contracts which infringe these prohibitions are not valid in law. The contract is also rendered null and void in the case of misrepresentation, deception or intimidation, and equally when it is against public order or when there is evident disparity between the reciprocal terms of the agreement, owing to the need, inexperience or thoughtlessness of either of the contracting parties.

In factories and the larger workshops a labor contract form (*Arbeitszettel*) is used, but small handicraftsmen and other employers do not as a rule put their agreements with their employers on paper. Some of the courts of industry have issued model forms of contract which they recommend for adoption. The following is in constant use at Leipzig, having been issued by the court of industry there:

Labor Note (*Arbeitszettel*)

concerning the service contract between

Employer . . . . . and
Workman . . . . . .

It is agreed:

Entrance into service . . . . . .
Rate of wages . . . . . .
Mode of payment . . . . . .
Kind of work . . . . . .
Hours of work . . . . . .
Reciprocal term of notice . . . . . .
Remarks . . . . . .
(To each of the signatories a copy has been handed)
(Town) . . . . . (date). . . . . .
Employer (signature). Workman (signature).
. . . . . .

Supplement for alterations:

(Town) . . . . . (date). . . . . .
Employer (signature). Workman (signature).
. . . . . .

The local courts of industry recognize as binding for an in-

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dustry wages agreements, known as "wages tariffs" (*Lohntarife*), agreed upon between organizations of employers and workpeople, and it has been ruled that where workpeople are transferred from one employer to another, as in the case of a business changing hands, the old agreement holds good in the absence of a new one.

The industrial code, section 114a, provides that the Federal Council may prescribe for specific industries either labor notes or wages books (*Lohnbücher*), wherein must be set forth the character and the extent of the work to be done, the rate of wages, and the conditions as to providing the workpeople with materials and tools. These notes or books must be supplied by the employer to the workpeople free. In factories to which this regulation does not apply (section 134) wages books must be supplied to all workmen under age. On every pay day must be entered the amount earned, and the book must be handed to the worker at the time, yet returned to the employer before the next pay day comes around. According to section 113 of the industrial code a workman can, on leaving his employment, require a certificate (*Zeugniss*) of the character and duration of his employment, and also, if he is so minded, a testimony as to his conduct and capacity (*Leistungen*). In the case of workers under age the same certificates can be demanded by their legal representatives.

The determination of service—The period of notice on either side, according to section 122 of the industrial code, is fourteen days in the absence of other agreement, and the notice may be given as from any day. Where there is a definite agreement on the subject, whether the period be one week or two, it is usual for the notice to date from the first day of the working week.

The employer who has engaged a workman as from a given time is bound either to set the man to work then or to recompense him for the time lost at the rate agreed upon. Nor is it necessary that the workman shall report his readiness to begin work; he fulfils his part of the contract if he merely places himself at his employer's convenience and call. If no specific rate of wages has been agreed upon, the rate usual for the task

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that was to have been performed must be taken as the basis of recompense. The workman cannot be required to make up time lost owing to the employer's default. On receiving notice to appear he may comply or not; but if he declines he can only claim recompense up to the time when he should have begun to work. Where an employer by refusing to carry out a contract of service causes the workman special expense, as in travelling to another town, he must refund that expense as well as the man's lost wages.

If, on the other hand, a workman culpably fails to begin work at the time specified, or leaves work without notice, the actual damage suffered can be recovered from him, or otherwise the penalty for breach of contract which is prescribed by the industrial code (section 124b) and which is independent of proof of damage, *viz.* a day's wages of a day laborer for every day of default up to a maximum of a week. Where another employer is the cause of the default, or where he has engaged a workman knowing him to have broken his contract, damages may be recovered from the later employer as well (section 124c). The same claim to compensation is possessed by the workman against his employer under similar circumstances.

The civil code has a special provision (section 624) intended to liberate a workman from long engagements. Should an engagement be concluded for a longer term than five years, it may be determined after the expiration of five years. Such arrangements, particularly life-long arrangements, are held to presuppose a dependence which is in conflict with the legal principle of freedom of contract.

Section 616 of the civil code provides that an employee engaged to do certain service does not forfeit the recompense due for that service if he is prevented by some personal reason implying no fault on his part from attending to his work for a "relatively inconsiderable time" (*verhältnissmässig nicht erhebliche Zeit*). It has been decided, however, that this stipulation can be cancelled by contract between the two parties. The commercial code, section 60, goes further in the case of shop assistants, saying: "Should a shop assistant be prevented by inculpable misfortune from temporarily discharging his duties,

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he does not forfeit his claim to salary and maintenance, but he can claim these only for a period of six weeks." The grounds that entitle a workman to claim his wages though absent must in any event be quite personal—such as military duties, the exercise of electoral rights, citation as witness in the public courts, sickness, domestic emergencies (deaths, childbirth, sudden sickness)—and there must be no fault on his part. If notice be given to the employee because of his illness, the employer's responsibility nevertheless continues until the period of six weeks has expired, if the illness last so long. Liability does not exist, however, when provision is made for medical treatment by insurance or by nursing in a public institution. Where legal proceedings are taken, the validity of a cause of absence is decided by the courts in every individual case on its merits, though most disputes turn on the question what is a "relatively inconsiderable time."

Protection of life and health.—The industrial code, section 120a, provides that the buildings, rooms, machinery and appliances in or with which a laborer works must be so devised or arranged as to afford protection against danger to life and health so far as the nature of the occupation allows. Where a worker lives with his employer this provision applies no less to the sleeping apartments. By workroom is meant not merely the place in which a workman passes the bulk of his time, but every part of the building in which he is engaged and also the grounds and accommodations attached thereto. So, too, the phrase "machinery and appliances" is to be understood in the fullest sense as including every apparatus and convenience, of whatever kind, which is used by hand or otherwise in the process of work. As, however, an employer's responsibility only applies to the buildings over which he has control, he incurs no obligation in regard to the rooms in which houseworkers are employed. Where a workman lives with his employer, the latter must provide dwelling and sleeping accommodation healthy as to space, light and ventilation, with ample food; the hours of work must not be excessive, and due regard must be paid to the satisfaction of moral requirements and of religious needs (*e. g.* opportunity must be given for attending religious ministrations). Where

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proper precautions are not taken, an employee may leave his employment without notice and claim damages as for dismissal without notice. It follows also that where due security for life and health is lacking, the employer is liable for compensation in the event of injury. Section 842 of the civil code provides that "the obligation to make compensation on account of a tort (*unerlaubte Handlung*) against a person extends to the disadvantages which the tort entails as regards the earnings or the welfare (*Fortkommen*) of the individual injured." Where the worker's earning power is destroyed or diminished or his needs are increased by reason of injury to body or health, not only must the cost of treatment be defrayed, but a commensurate annuity in money must be paid. If, however, it is shown that the injured person has adequate means of support, he can claim a single capital payment instead of an annuity. In the event of death the costs of burial must be defrayed; and if the deceased were responsible for the support of dependents there must be paid to the latter an annuity equal to the value of the support the deceased would have been obliged to give during the probable period of his life; and this applies to a child still unborn at the time of its parent's death. Annuities are payable three months in advance. In fixing the degree of injury and the amount of compensation, regard has to be had to all circumstances which by reason of the culpable act affect the injured person physically; thus, in the case of women, the diminished prospect of marriage. This section also applies to injuries to personal honor in so far as material damage can be shown. How far an employer is liable for damages when an injured workman is entitled to compensation under the several industrial insurance laws depends upon the special provisions of these statutes. In general, however, where compensation for accident to body or health is claimable under the accident insurance law (which imposes the whole cost of insurance upon the employer), the provisions of the civil code do not apply, and instead of damages pension is given. Here the court has to determine whether due security for regular payment exists; and here again, if sufficient cause be shown, the pension may be converted into a single capital payment. Moreover, a husband has a claim for

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compensation for his wife's injury or death by accident where she was in the habit of rendering personal services which must henceforth be performed by others, and the same applies where a child is injured or killed. Here the compensation takes the form of a pension, which ceases when the survivors of the deceased die.

All these provisions for compensation leave untouched the penalties which under the penal law fall upon persons who by their culpable negligence cause injury or death to others. In the case of injury the penalty may be a fine not exceeding 900 marks or imprisonment up to three years, and in the case of death imprisonment up to five years. Indemnity may be claimed under the penal law up to 6000 marks, in which case no further claim for compensation can be made.

The preservation of morals.—Section 120b of the industrial code requires employers to adopt all measures and to issue all regulations which are necessary to the preservation of decency and good morals among their workpeople. In particular the sexes must be separated as far as the nature of the work allows, unless the interests of morality are sufficiently protected otherwise, but the separation applies unconditionally to places of convenience, like washing and dressing places, *etc.* A wide latitude is allowed to the Federal Council in regard to the issuing of regulations on this head applicable to entire industries, although when the Federal Council does not issue such regulations the executives of the individual states may do so instead. In industries in which excessive hours of work are specially dangerous to health, the Federal Council may prescribe the duration, the beginning and the end of the daily work, and the pauses to be allowed. It is provided, however, that before regulations of this kind are issued by state executives and police authorities the opinion of the employers' organizations in the trades affected (*Berufsgenossenschaften*) shall be invited.

The protection of juveniles and children.—The industrial code distinguishes three classes of workers under age—juniors (*Minderjährige* or *junge Leute*), juveniles (*jugendliche Arbeiter*) and children. The age of childhood is legally held to be passed at fourteen years; from the age of fourteen to sixteen the worker

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is regarded as a "juvenile;" and from sixteen to eighteen he is classed as a "junior" or "young person." The employment of children under thirteen years is prohibited in factories (*i. e.* work-places in which at least 20 workpeople are employed and in which either machine power is used or division of work exists) and equally in workshops in which machinery driven by "elementary power" (steam, water, wind, gas, air, electricity, *etc.*) is permanently used. Between the ages of thirteen and fourteen, children may be employed in factories and workshops only when they are no longer obliged to attend school. Up to this age children can at the most work six hours daily, and a pause of at least half an hour must be allowed. Further, by a law of May 30, 1903, regulating the employment of children in "industrial concerns" (children being defined in this law as "boys and girls under thirteen years as well as such boys and girls over thirteen years as are still liable to attend school,") the employment of these children is forbidden in building works of all kinds, brickworks, quarries and pits worked from above ground, stone-breaking, chimney-sweeping, carting in connection with carrying businesses, the mixing and grinding of colors, work in cellars, and in a number of scheduled workshops. Children under thirteen years may not be employed between 8 p. m. and 5 a. m. and not before forenoon school. They may work only three hours on school days and during school holidays only four hours. At noon a pause of a least two hours must be given, and in the afternoon the work may not begin until an hour after school time. (It should be explained that afternoon school is unusual in Germany.) Children may not be employed in theatrical and other public performances, but exception may be allowed in the case of performances in which the "high interests" of art and science can be shown to be served. In licensed premises children under twelve years may not be employed at all, and girls under thirteen or still liable to attend school may not be employed in the serving of guests; and the conditions as stated above as to hours and rest hold good. Children may not be employed on Sundays and festivals, save exceptionally and under conditions. Children cannot be employed at all, until labor cards have been obtained for

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them from the police authority. The same provisions in the main apply to the children of employers.

Child and juvenile labor (juveniles, as explained above, are persons between fourteen and sixteen) is either severely restricted or altogether prohibited in the making of alkali-chromates, in any process which would bring them in contact with lead or lead combinations, in sugar factories (many restrictions), cigar factories, chicory factories, wire-drawing works in general, in certain departments of glass-smelting works and glass-cutting works, in certain operations in rubber manufacture, heckling rooms, dress and linen-making workshops, horse-hair spinning works, quarries, coal mines, brick works, zinc-smelting works, rolling works and forges, and certain departments of match factories. Juvenile workers can be employed in metal or rolling works and forges, glass furnaces, coal mines and zinc-smelting works, only when they receive medical certificates that such employment would be free from injury to health, which certificates can be issued only by doctors accredited for the purpose by a government authority.

The house industry is exempted from these regulations save in so far as machine power is used.

Juveniles may not be employed in factories longer than ten hours daily (section 135 of the industrial code). Their work may not begin before 5 : 30 a. m. nor extend beyond 8 : 30 p. m. Regular pauses must also be given: where a juvenile works only six hours a day the pause must be at least half an hour; in other cases at least half an hour each in the forenoon and afternoon and an hour at noon, unless the work does not exceed eight hours a day and four hours at a stretch, in which case the two half-hour pauses may be omitted. Juveniles may not be employed on Sundays, festivals, or in hours fixed by their "proper pastor" (*ordentlicher Seelsorger*) for catechism teaching and preparation for confession and communion. Special conditions as to the time and the duration of the pauses apply to many occupations; and night work (between the hours of 8 : 30 p. m. and 5 : 30 a. m.) is entirely forbidden in the case of juveniles in most of these occupations, save under severe restrictions. The penalty for any infraction of the provisions as to

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the employment of juvenile workers is a fine up to 2000 marks or imprisonment up to six months.

Employers are required (section 120 of the industrial code) to afford to "young people" (*i. e.* persons under eighteen) the opportunity of attending continuation schools, but instruction must not be given on Sundays during the principal hours of public worship. Communes or communal unions are given power to make attendance at continuation schools compulsory (as is the case in Berlin) for male workers and for female shop assistants and apprentices under fifteen years, where compulsion does not exist by the law of the land. Exemption from attendance at these schools is, however, given to the scholars of guild or other voluntary continuation or technical schools of equal educational value. Not only must time be given when school hours fall in the ordinary work time, but the worker may not be required to make up the lost time, and where the continuation school is compulsory the employer must himself see that his juvenile workers attend. The penalty for default in any of these particulars is a fine not exceeding 20 marks or detention up to three days.

The position of women.—Section 137 of the industrial code regulates the employment of women. Female workers may not be employed in factories during night hours from 8:30 to 5:30, nor on a Saturday nor on the eve of a festival after 5:30. Such workers may not be employed more than eleven hours a day, and on Saturdays or the days preceding festivals not more than ten hours, and a noon pause of at least an hour must be given. Female workers who have charge of a house must, on their request, be allowed to go home half an hour earlier at noon, unless the noon pause be at least an hour and a half. Women may not be employed for four weeks after confinement, and through the following two weeks only on certificate of an approved doctor permitting it. In times of exceeding pressure the local governing authority may, on the request of an employer, permit the employment of female workers over sixteen years until 10 p. m. on week days (except Saturdays) for two weeks at once, with the restriction that the daily work time shall not exceed thirteen hours and that this extension of hours shall

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not be for longer than forty days in one year. Permission to work extended hours for a longer period than two weeks at one time or for more than forty days in one year can be given only by a higher administrative authority, and then with the condition that the average daily duration of work all the year round shall not exceed the statutory number of hours. The same authority may authorize the employment of female workers over sixteen, who have no housework to do and are absolved from attending a continuation school, in certain urgent work on Saturdays and the evenings before festivals until 8:30, and special latitude is allowed when work is interrupted by "natural occurrences" (*Naturereignisse*) or by accidents. Power is reserved to the Federal Council to prohibit entirely or to restrict by special regulation the work of females in branches of manufacture which are attended by special danger to health or morality, also to vary the incidence and duration of the pauses and to prolong and readjust the hours of work where the conditions of manufacture require it. But the employment of women is wholly or partially forbidden on grounds of health in the same undertakings and processes which are by statute closed to juveniles.

The employment of men.—The work hours of men are subject to fewer restrictions, and a maximum workday is prescribed in special cases only. The minimum is fixed below the usual period only in employments dangerous to health, or where from the nature of the employment the customary number of hours is excessive. And yet, though the work hours of men have been left to bargaining, the effect of the restriction of female and juvenile work has resulted to the interest of adult male labor, while the industrial organizations have successfully agitated in isolated branches of work for a ten-hour day and here and there even for a day of eight hours, though legislation on the subject is as remote as ever.

As to labor in public shops and similar places of business (*offene Verkaufsstellen*), section 139c of the industrial code provides that an uninterrupted rest of at least ten hours must be given at the end of the day to assistants, apprentices and workpeople; that in towns of over 20,000 inhabitants eleven hours must be

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given where two or more assistants and apprentices are employed, and that in smaller places the longer period of rest may be prescribed by local statute. A suitable (*angemessene*) pause must be allowed for the noon meal, the minimum being one and one-half hours where the meal is partaken of outside the place of business. These provisions do not apply, however, to licensed premises, for these are not ranked as "public places of sale"; nor do they apply to baker's and butcher's assistants and domestic servants; but they do apply to porters, market attendants, *etc.* The curtailment of the time of rest is permitted in the case of labors which are necessary to prevent injury to goods; in the case of statutory inventory taking, renovations and removals; and in addition for a maximum of thirty days in the year in the case of employees generally, the days being fixed by the local police authority, either universally or for single trades.

Shops must be closed between the hours of nine p. m. and five a. m., though buyers present at the closing time may be served. An extension of time to ten p. m. is allowed on forty special days in the year, and otherwise under exceptional circumstances. On the petition of at least two-thirds of the tradespeople concerned, in a commune or several adjacent communes, the higher administrative authority may order the closing of shops between five and nine p. m. and five and seven a. m., either at certain seasons or the whole year through; and on the petition of one-third of the tradespeople the authority may take a vote on the question.

Sunday work.—While it is the aim of industrial legislation to secure to the working classes the fullest possible Sunday rest, the laws of the states as a rule regulate the observance of Sunday from a religious standpoint. By sections 105a to 105i of the industrial code, industrial employers cannot require their workpeople to work on Sundays or festivals. The days to be observed as festivals vary according to the confessional character of the state—whether Protestant or Roman Catholic by preponderance—and are determined by state laws as distinguished from imperial laws. The only exceptions are works of urgency and necessity, depending on the technical character of the in-

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dustry and on the character of its products, and here the workmen have no option. Licensed premises, theatrical and musical performances, exhibitions, and the various means of communication (railways, waterways, post, *etc.*) are excluded. On the other hand an employer cannot require a workman to play on days which are not statutory holidays. Where a Jew had closed his works on a Jewish high festival his employees succeeded in obtaining compensation for lost wages. In general, the rest to be secured to employees in factories, workshops and the like must be at least twenty-four hours for every Sunday and festival, for consecutive Sunday and festival thirty-six hours, and for the Christmas, Easter and Whitsunday festivals forty-five hours. The rest is to be reckoned from twelve p. m., and where Sunday and a festival fall together it must last until six p. m. of the second day. In works with regular day and night shifts, the rest may begin at the earliest at six p. m. of the preceding workday and at latest at six a. m. of the Sunday or festival respectively.

In shops and warehouses assistants, apprentices and workpeople may not be employed on the first day of the Christmas, Easter and Whitsun holidays, and mechanics not longer than five hours on Sundays and festivals. Exceptions both in the nature of curtailment and extension of the rest may be enacted in special cases. The prohibition of Sunday work applies to hand industries only where these are carried on in workshops.

Factory regulations.—It is required by section 134a of the industrial code that a labor order (*Arbeitsordnung*) shall be issued in every factory in which twenty or more workpeople are employed, and this order must be exposed to view. It must contain a statement of the hours of work, the pauses, the time and mode of settlements and of payment of wages, the conditions of leaving and discharge, the fines (if any), their kind and amount, and the purposes to which they are applied. Before a labor order is issued or amended, the workpeople of age must be consulted. Where workpeople's committees (*Ausschüsse*) exist, their opinion must be taken instead.

Workpeople's committees.—The formation of these committees is permissive. They may be elected *ad hoc*, or be

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formed of the executives of the factory sick funds or other funds carried on in the interest of the workpeople, where a majority of the members of these executives are workpeople elected by their fellows. It is the purpose of the committees to act as a means of communication between employers and employed and to represent the interests of the latter in negotiations concerning the issue of workshop rules.

The truck system.—Sections 115 to 119 of the industrial code forbid "payment in kind" except food at cost price, housing and use of land at the local rent, fuel and light, regular sustenance (*Beköstigung*), medicine and medical attendance, and tools and materials required in the work, these being supplied at the cost price. The impounding of wages is also forbidden in the case of private individuals.

In the event of the insolvency of an employer, the wages of his workpeople for an antecedent period of twelve months constitute a preferred claim on his estate.

Apprenticeship.—Special provisions are introduced in the industrial code relating to the apprentices of tradesmen and handicraftsmen (sections 126 to 133). They contain regulations for the proper training of apprentices, for their physical and moral welfare, as well as for journeyman and master examinations in the case of handicrafts.

The inspection of factories.—Finally, it is to be noted that it is the duty of the factory inspectors to see to the due observance of most of the provisions of the industrial code. Though no law expressly requires it, many of these officials endeavor to cultivate personal contact with the working classes, with a view to assuring themselves more fully that the regulations and measures provided for the protection of labor are faithfully complied with. Since 1890 the factory inspectors have been authorized to supervise not only factories and workshops but all places of industry (*Gewerbebetriebe*) and handicraft (*Kleingewerbe*), but not places of business (*Handelsgewerbe*), the latter falling under the jurisdiction of the local police authority.

Insurance against sickness, accident, old age and invalidity.—With few exceptions the industrial wage-earners of Germany are compulsorily insured against the four-fold risk of

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loss of earning power by sickness, by accident, by old age and by permanent invalidity from any cause whatever. To other classes of employees who are not compelled to insure, the right to do so may be extended by municipal decree or communal resolution.

Where insurance against sickness is obligatory, it begins with the employment of the worker and is independent of age and sex. Even children who are still of school age but who regularly work during a portion of the day may be insured. The insurance is broken, however, when employment ceases, to be renewed when employment begins again. The law provides for a minimum benefit, which consists of free medical attendance and medicine, with spectacles, bandages and surgical appliances, from the beginning of sickness; and in the event of incapacity for work, sick pay to the extent of half the daily wages on which the contributions have been based. The first two days of sickness are called "waiting" days, and during this time (*Karenzzeit*) no pay is given, though the waiting time may be disregarded if the members of the sick fund are so minded. The longest period for which sick pay is granted is twenty-six weeks, after which, should incapacity continue, the liability is transferred to the accident insurance fund, though medical attendance may continue for a year. The sick pay is, as a rule, for workdays only, but it may be claimed for Sundays and festivals when employees are liable to work on those days. A council may also decide to pay for every day in the week. The basis of contribution and benefit is ordinarily either the wages of local day labor or the average wages of the industry or trade to which the insured workpeople belong, with a maximum of four marks per day, so that the sick pay cannot exceed two marks daily unless the insured are divided into classes according to their earnings, when the actual mean wages of each class are taken as a basis, with a maximum of five marks, and the benefit may amount to 2.50 marks. Special benefits are secured to women in childbirth, and funeral money also is paid. Nursing may be given in hospital instead of sick money, though even then an allowance may be made to the family. The contributions are paid to the extent of two-thirds by the insured and one-third by their employers. In the case of communal sick funds, the

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workpeople's premiums may not as a rule exceed one and one-half per cent of the local wages of day laborers, but an increase to three per cent is permitted where the unsatisfactory condition of insurance funds require it. In the case of the organized compulsory funds, the premiums may not as a rule exceed three per cent of the wages taken as the basis of contribution, whichever method of calculation be adopted, so long as the relief granted does not exceed the minimum. When a higher scale of relief is given four per cent of the wages may be levied. In every case the employer pays one-half as much as his workpeople. By permission of the higher administrative authority the contributions may be graduated according to "danger classes," save in communal insurance. No premiums are payable as long as sick relief is received. The workpeople have a large share in the management of the sick funds, except in the case of communal funds, where the local administrative body takes entire charge and entire responsibility.

The accident insurance laws embrace in general all kinds of employment to which sickness insurance applies and some others, and here too extensions are allowable. The employees are divided into "danger classes," and the premiums levied are fixed accordingly in a "danger tariff." The workman makes no contributions; the employer bears the whole liability. The compensation payable in case of injury begins only at the expiration of thirteen weeks after the occurrence of the accident, the sick fund or the individual employer being responsible in the interval; after that time the trade association provides all requisite medical attendance, medicine and other curative treatment, and also pays a weekly pension (*Rente*) so long as incapacity lasts, the amount depending on the yearly earnings of the injured person and the degree to which his earning power has been depreciated. The year's earnings are taken at 300 times the average daily wage, though where from the nature of his occupation a man works either more or less than 300 days this number is increased or decreased accordingly. The full pension (*Vollrente*) is two-thirds of the yearly wages so computed; and this is given in case of complete incapacity to work. A smaller percentage is given where the earning capacity is not completely

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destroyed; thus, where the earning capacity is diminished by one-half, 50 per cent of the full pension or one-third of the yearly earnings is given. In place of free attendance and a pension, an injured man may be given gratuitous treatment at a hospital, and then the nearest relatives receive the same pension to which they would have a claim in case of the man's death; but the trade association may at its discretion grant even more than this. Should death follow as the result of accident, "death money" is paid, to the extent of one-fifteenth of the yearly earnings, with a minimum of 50 marks, together with pensions to the relatives not exceeding in the aggregate 60 per cent of the deceased's earnings.

The obligation to insure against old age and invalidity is imposed on workers who have completed their sixteenth year and work for wages or salary, and no fixed period of employment is necessary as a prior condition. The receipt of a pension depends on three conditions: the payment of the prescribed statutory contribution, the observance of the prescribed "waiting time" of 200 weeks in the case of an invalidity pension and 1200 weeks in the case of an old age pension, and the occurrence of inability to earn a livelihood at the prescribed age of qualification, *viz.*, the completed seventieth year. There are three contributions: equal payments by the employer and the insured workpeople and a subsidy of 50 marks by the empire towards every pension granted. The premiums are payable for every week of work, and the insured are divided into five wage-classes, for which the weekly premiums (payable half by the worker and half by the employer) are:

1st class,	up to	350	marks,	14	pfennigs
2nd "	350 to	550	"	20	"
3rd "	550 to	850	"	24	"
4th "	850 to	1150	"	30	"
5th "	over	1150	"	36	"

The class to which a man belongs does not depend on his actual yearly earnings; the usual basis is 300 times the daily wages of the class of work insured, but the earnings may be computed differently. The premiums are levied in the form of stamps is-

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sued by the various insurance institutions, by post offices and by special sale agencies. These stamps are affixed to receipt cards, which the insured is bound under penalty to keep. The cards have places for fifty-two or more stamps, and must be exchanged for new ones when filled up. As a rule the employer deducts the premium weekly, and when wages are paid the stamps must be affixed for the time covered by the wages or otherwise as may by provided. The invalidity premium is an initial sum of 60 marks for the first wage-class, 70 marks for the second, 80 marks for the third, 90 marks for the fourth and 100 marks for the fifth, with an imperial subsidy of 50 marks in each case, making 110, 120, 130, 140, and 150 marks respectively. This, however, is the minimum, and the pensions may be increased according to the duration of contribution, until they reach a maximum (after 50 years) of 185, 270, 330, 390 and 450 marks in the five classes. When an insured person is sick, so that inability to work is apprehended, the insurance institution may incur in his behalf the cost of curative treatment and may, with his consent, send him to a sanatorium or convalescent home, and while he is there half sick-pay may be granted.

The old age pension may be claimed on the completion of the seventieth year in case the other conditions have been complied with. It consists of the imperial subsidy of 50 marks plus 60 marks in the first wages class, 90 marks in the second, 100 marks in the third, 150 marks in the fourth and 180 marks in the fifth, making together 110, 140, 170, 200 and 230 marks respectively. All pensions are paid through the local post offices.

The trade guilds.—While many of the rights of employees in handicrafts and trades other than those embraced in factory industry are affirmed in statutes common to the entire wage-earning class, as has been seen in the foregoing review of the industrial code and the insurance laws, the organization and regulation of the modern trade guilds are matter of special legislation.

The purposes of these guilds are: (1) the cultivation of *esprit de corps* and the maintenance and strengthening of class dignity (*Standesehre*) amongst members; (2) the furtherance of a

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friendly relationship between masters and journeymen and the provision of lodging-houses for travelling workmen and of a system of labor registration; (3) the regulation of the apprenticeship system and care for the technical, industrial and moral training of the apprentices; (4) the determination of disputes between the members of the guilds and their apprentices by courts of arbitration; and (5) the establishment of funds to provide insurance against sickness, accident, old age and invalidity—this, however, in conformity with the general insurance laws.

Membership in a guild is confined to the following classes of persons: (1) those who carry on independently within the district of the guild a trade of the kind for which the guild is formed; (2) those who are employed as overseers or in a similar capacity in a large undertaking belonging to the said trade; (3) those who have been members under the foregoing definitions, but have ceased so to be, and who carry on no other industrial occupation; and (4) handicraftsmen (*Handwerker*) employed for wages in agricultural or industrial undertakings. Other persons may be admitted to honorary membership only. A guild court of arbitration (*Schiedsgericht*) must consist of at least a president and two assessors, the latter as well as their deputies being taken in moieties from the members of the guild and from the journeymen and workmen in their employ. The president is nominated by the controlling authority and need not be a member of the guild. A court must come together within eight days of a request for its mediation, failing which the petitioner may resort to the industrial courts (*Gewerbegerichte*) or to the ordinary civil courts. Decisions of these guild courts, as of the guild itself, acquire force of law (*Rechtskraft*) unless within a month one of the parties concerned should appeal to the "ordinary court." In certain disputes, and where the judgment does not exceed 100 marks, the decision may be executed at once unless it can be shown that the debtor would be seriously injured, and it may also be suspended when security is given. It is also provided (by section 100 of the industrial code) that for the protection of the common interest of handicrafts of an identical or cognate kind the higher administrative authorities may, on the petition of a majority of those concerned, order

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the formation of compulsory guilds, to which all the correlated handicraftsmen of the district must belong.

Industrial courts of arbitration.—The boards of arbitration which exist in connection with the trade guilds are comparatively restricted in jurisdiction, beneficial though their conciliatory work is. Wider in scope are the industrial courts which have been created under the law of July 29, 1890 (*Gesetz betreffend die Gewerbegerichte*), and which now form an invaluable part of the machinery of industry, facilitating harmonious relationships in many cases where formerly the only medium of adjustment was the ordinary civil court.

The industrial courts may be formed either by the communes (*Gemeinden*) or the communal unions (*Kommunalverbände*) for the districts under their jurisdiction. Where a court is not so established employers and workpeople (either or both) may set the law in operation by requisition to the communal or provincial authorities; and where these authorities fail to act, the higher administrative organs of the state may intervene to compel the application of the law.

These tribunals are competent to deal with disputes between employers and employed regarding (*a*) wages questions, (*b*) deductions and fines by reason of defective work, (*c*) terms of notice on both sides, (*d*) the giving of certificates, (*e*) the sick-money payable by workpeople, and (*f*) disputes which may arise among workpeople in regard to work done in common. Where the matter in dispute does not exceed 100 marks in value, the decision of the industrial court is final, and only in the case of larger amounts is appeal to the ordinary courts of law permissible. A great recommendation of these courts is the cheapness of procedure. There is but one fee, as follows:

For claims of 20 marks and under,	1	mark;
" " 20 to 50 marks	1.50	marks;
" " 50 to 100 marks	3	marks;

and afterwards three marks per 100 marks up to a maximum of 30 marks. It is, however, within the power of local authorities to make the courts free.

A further function of the industrial court is that of a board

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of conciliation (*Einigungsamt*). The constitution of such a body is the same as that of the ordinary court—a president and at least four other members, two being employers and two workpeople. Parties privy to a dispute are ineligible for election. Here the judicial powers of the court do not apply; as a board of conciliation the court can only endeavor to bring discordant views into harmony.

The law regarding strikes.—In judging of the liberty which the working classes of Germany enjoy to further their interests by the method of the strike, it is not sufficient to give the bare letter of the law. So much depends on the application of the law by the judges and such a variety of interpretation and usage prevails, that it is only by the examination of judicial decisions that the actual state of the law can be learned.

There exists no legal right to proclaim an embargo upon an industrial concern in which employer and workpeople are in conflict; and while it has been found that the same end can be attained by the employment of ingenuity in phrasing, there have been frequent convictions of labor leaders who have openly "boycotted"—the word has long been introduced in the German vocabulary of labor—employers through the press. The mere threat of a strike or "boycott" in the eventuality of an employer not falling in with conditions proposed by his workpeople has been punished as a misdemeanor under section 253 of the penal code, which provides:

> Whoever constrains (*nötigt*) another by force or threat to any act, toleration or omission (*Handlung, Duldung oder Unterlassung*) in order to procure for himself or a third party an illegal pecuniary advantage (*rechtswidriger Vermögensvortheil*) is punishable with imprisonment of not less than a month. The attempt itself is punishable.

Courts of law have in isolated cases interpreted the summary demand of higher wages as an endeavor to procure an "illegal pecuniary advantage"; and, what is less singular, workpeople have been committed for having appealed to their colleagues in open meeting to cease work without giving notice. In the latter case the offence alleged has been the incitement to illegality in the form of breach of contract, bringing the workers into

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conflict with section 110 of the penal code, which prescribes a fine not exceeding 600 marks or imprisonment up to two years by way of punishment. It does not appear, however, that breach of contract as such entails punishment. It may, however, justify a compensatory fine, under sections 119a and 124b of the industrial code, which provide that where an employee leaves work illegally, the employer may retain a week's wages at the most by way of indemnity (*Ersatz*), in which case no further claim for damages may be made under the civil law.

The method of exclusive dealing is largely resorted to by the working classes in the assertion of their economic claims and in the prosecution of their perpetual endeavor after class solidarity. In general the law has tolerated the tacit and unacknowledged "boycotting" of employers and of public places of assembly (like meeting halls and licensed premises) obnoxious to the workers; though, here too, there are exceptions according to the law of the various states and the interpretation of the law by different tribunals of first instance.

A full consideration of the law of coalition and public meeting would carry us into the domain of politics. It may be said, however, that a valuable franchise is secured to the majority of wage-earners (not, however, to agricultural laborers, domestic servants and several other classes of employees) by section 152 of the industrial code, which declares:

> All prohibitions and penal regulations against industrial employers, industrial assistants, journeymen or factory operatives regarding agreements and combinations for the purpose of obtaining more favorable conditions of wages and of work, particularly by means of the suspension of work or the dismissal of workpeople, are repealed.

This right to combine for economic ends does not, however, extend to political action, in regard to which the restrictions are, in most German states, very severe. Not only so, but trade coalitions are hampered at every turn, owing to the arbitrary way in which the police proceed against organizations of this kind as illegal political combinations.

WILLIAM HARBUTT DAWSON.

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THE PHILIPPINES AND THE FILIPINOS.[1]

IF mere quantity of printed material would suffice to bring about a general consensus of public opinion regarding the Philippines, the Filipinos and everything connected with our "Philippine problem," we ought to have reached such a stage long since. Unfortunately, however, the very quantity of matter printed, as well as the contradictory character of much of the evidence presented, has helped to bring about a very considerable confusion of ideas. One of the evils of our Philippine experience has been that news and information and discussion have come like epidemics. Let two or three or more editors of periodicals seize upon some sensation of the moment, and the rest of the flock are moved to seek instantly for material to print along the same line—often without regard for its source and character. The past year and a half has brought forth too, an unusual proportion of treatises upon the Philippines. We are forcibly reminded that our Philippine governmental undertaking is no longer a mere infant by the rather comprehensive criticisms made of it by Mr. Alleyne Ireland, an Englishman, and Professor H. Parker Willis, an American citizen. Some of their criticisms go to the very foundation of our new structure of Philippine government. That government has had no really careful criticism before; hence there is a marked tendency among the opponents of American rule in the Philippines to accept these arraignments as authoritative. The charges now brought against it of extravagance and inefficiency—by Professor Willis, of tyranny also—therefore merit special attention.

[1] The Far Eastern Tropics. By Alleyne Ireland. New York, Houghton, Mifflin & Co., 1905.—vii, 339 pp.

Our Philippine Problem. A Study of American Colonial Policy. By Henry Parker Willis. New York, Henry Holt & Co., 1905.—xiii, 479 pp.

Labor Conditions in the Philippines. By Victor S. Clark. Bulletin of the Bureau of Labor, no. 58. Government Printing Office, Washington, May, 1905.—185 pp.

A History of the Philippines. By David P. Barrows. New York, American Book Co., 1905.—332 pp.

Philippine Ethnological Survey—Vol. i: The Bontoc Igorot. By Albert Ernest Jenks—Vol. ii: The Negritos of Zambales, by William Allen Reed; The Nabaloi Dialect, by Otto Scheerer; The Bataks of Palawan, by Edward Y. Miller and others.—Vol. iii: Augustinian Relations of the Races of Northern Luzon—Vol. iv, Part i: Studies in Moro History, Law and Religion. By Najeeb M. Saleeby.—The Government Press, Manila, 1903-05.

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Before we accept anyone as an authority upon the Philippines and the Filipinos, past or present, we have a right to demand either that he shall have gone very thoroughly into the bibliography of the subject—which has been accumulating for nearly four hundred years—or that he shall have had very considerable experience among the people themselves. So far as possible, of course, the qualifications of the library-worker should be blended with the observations of the "man on the spot." Both Mr. Ireland and Mr. Willis had very brief and inadequate experience in the Philippines; neither of them spent more than a few months in the islands. The former, apparently, does not speak or read Spanish, and he had no contact with the Filipinos. Yet he has assumed that he can safely disregard the history of over three centuries of Spanish social, political and religious influence upon the people, and can know their capacities and aspirations from what he has heard or read about other Malay peoples.[1] He has not devoted careful attention to the bibliography of the Philippines even since they came under American rule. This, at least, Mr. Willis has done; but, without intimate knowledge of the Philippine past and without sufficient experience on the ground to qualify him to interpret many conditions of Filipino life today, Mr. Willis often draws unfounded conclusions and passes criticisms which seem to rest upon an initial bias. He is always an antagonist of the American government in the Philippines, and he is thus led to blame political acts or institutions for many evils whose causes lie deeply embedded in social conditions. His personal attitude will deserve special consideration, after the main points in his argument have been considered.

It would be difficult not to concur in the broader statements and conclusions of Mr. Willis's chapter on the Philippine civil service. Both economy and justice to the Filipinos demand a very great reduction of the force of American employees and some reduction, also, of the number of officials. Even more vital is it that the character of the representatives of America in the islands shall be very considerably raised in the average over what it is at present. This is perhaps the sorest spot in the present Philippine situation, and with it all other

[1] Mr. Ireland's book is (as he disarms criticism by saying) only a collection of journalistic contributions. It deals with certain tropical possessions of Great Britain, Holland and France as well as the United States, mostly among the Malay people. He proposes soon to devote to the Philippines one large volume of a series upon the same colonies. For this reason, and since his criticisms on economic and fiscal matters are endorsed and expanded in the work of Mr. Willis, I shall not, in this article, pay special attention to Mr. Ireland's preliminary treatise.

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sources of dissatisfaction are intimately involved. The fundamental importance of this point is strikingly shown in the failure, down to the present time, of the constabulary and the very notable success of the American educational program. The difference lies very largely in the average character of the Americans employed in the two forces.

Mr. Willis's statements of fact regarding the Philippine civil service cannot, however, be implicitly accepted. His table (p. 59), as will be explained presently, does not give a correct impression of the relative numbers of Filipino and of American employees. His figures, moreover, are for December, 1903, and were thus a year and a half old when his book appeared. The tendency to an increase in the proportion of Filipino employees has since been furthered by the cuts made last year in the running expenses of the government bureaus. The present program, it is true, is still not radical enough; it only skims the surface and does not strike down deeply into the plan of administrative organization which Mr. Willis criticizes (p. 67). This involves too much "paper work," too much hammering of typewriters, mostly operated by Americans. But there is a logical cause for the pressure from bureau chiefs to get as many American clerks as possible; it is due to the fact that American language, office-methods, accounting and equipment have been introduced into Philippine government. It is not merely a desire to find salaried places for Americans which limits the number and proportion of Filipino employees. If Mr. Willis were better acquainted with the leisurely and inefficient clerical methods employed under Spanish rule in the conduct of government business—and also in private business—he would perhaps realize that there is also a bureau chief's side to the story. A competent, energetic American typewriter and stenographer, for example, does more work in half an hour than the ordinary Filipino copyist of the old régime would do in an office day. Such extreme comparisons will not, in general, hold today; but apart from the learning of a new language, of new methods, *etc.*, the habits and the temperament of Filipino employees have not been revolutionized in five years.

Mr. Willis's table of employees in the classified service, as has already been indicated, does not give at all a fair idea of the positions held under the government by Americans and Filipinos respectively. While it includes all American employees, even the skilled manual laborers, it omits from consideration the following Filipino officers or employees, not classified: some 10,000 elected municipal officials, besides municipal employees, policemen and others, and in particular about 5,000 Filipino teachers and "apprentice-teachers," who are

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paid from the town treasuries (while all American teachers are paid by the insular government and are classified employees); some 650 justices of the peace, receiving fees; all the enlisted men of the constabulary; about 5,000; and many skilled laborers, as well as all Filipino day-laborers employed by the government.

As one who advocates an independent Filipino government in "five or ten years" (p. 449), Mr. Willis is inconsistent in echoing (pp. 54–56) Mr. Ireland's criticisms on the Philippine civil service examinations. It is, of course, essentially unfair to compare the Philippine examination for a clerkship, which a Filipino is expected to fit himself to fill, with the examination of a Briton who has pursued a special university course and who is looking forward to a life career as an official having a fatherly relation to several thousands of people. The political program of the two nations is very different, and civil service conditions must naturally reflect the difference. Apart from this, it has been necessary to use in the Philippines the sort of men who are on hand for the work to be done; it would be folly to sigh for a class of specially trained men who do not exist. And what likelihood is there for training such a special class unless a permanent career be held out to them? If Filipino participation in government is to be steadily expanded, we should regard the American employee as a makeshift, necessary for the moment in spite of his excessive cost, but to be replaced by the Filipino as rapidly as possible. It is unwise for either Filipinos or others to demand that Filipino employees equipped only in Spanish shall receive the same salaries which the government is obliged to pay to Americans. It would be unwise to pay Filipinos the high salaries now drawn by Americans even when the Filipinos shall have qualified themselves for the same positions. The wage scale of American employees is an abnormally high wage scale for Filipino society; why saddle it upon a future government of Filipinos? For American employees in the tropics it is not, as Mr. Willis thinks, too high; it is rather too low. The remedy lies in more rapidly reducing the number of Americans, thus eliminating a very large percentage of undesirable and narrow-minded men of routine, and in securing higher-grade men for the fewer American positions by higher salaries and better selection. With this immediate end in view, it may be desirable to set a higher standard for certain examinations; but it is entirely impracticable and undesirable to set up the British colonial civil service as a pattern for the Philippines. We must first change our policy of actively accelerating Filipino self-government.

Regarding local government in the Philippines, as discussed by Mr.

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Willis, two general observations may be made: (1) many of his criticisms upon the intervention of the central government in provincial and municipal affairs and of the provincial boards in municipal affairs are based upon the assumption that the American superior officials will, as a regular thing, be despotic and tyrannical; and (2) he draws sweeping conclusions as to local self-government by the Filipinos without sufficient experience among them to give his conclusions value. One who knew, even superficially, what Filipino local government, society and industry were like in the past, could not ascribe the bossism of to-day to the restricting of the right of suffrage by the new municipal code (p. 81). You can not kill bossism in such a society by giving the ballot to ignorant peons and dependants; the economic bosses are thereby the more sure to entrench themselves as political bosses.[1] Mr. Willis apparently thinks that the central government in the Philippines has constantly been grasping for and absorbing power over the local governments. It is significant, on the contrary, that the Commission did, in fact, in the beginning try to let go of power which, bit by bit, it has been compelled to take up again in the interest of efficiency, and generally at the demand of the Filipinos, whose ideal was a centralized, supervisory government like that of Spain.

Many things favor the proposal to abolish the old Philippine provinces as political units, substituting larger and more economic administrative units for certain purposes of supervision by the central government, especially as regards revenue, education, health and public works. Economy urges this move now, and the time is probably coming when it will be yet more logical. Both Mr. Willis and Mr. Ireland, however, entirely overlook the facts that these provinces have a political history of one, two or three centuries; that, especially where they comprise a single island, they are natural geographical divisions; and that, in many cases, their boundaries correspond closely also with tribal and dialectical lines. The tribal and political distinctions will tend to disappear; geographical lines must remain. The question is not one to be settled with a wave of the hand.

It is purely fantastic to assert, as does Mr. Willis, that the "good" class of Filipinos are not "willing to accept office as governors of provinces" (p. 84); there has never been any "holding back" on the part of Filipinos of one sort or another. We are told (p. 73) that "the provincial and municipal government acts were introduced in

[1] Let Mr. Willis inquire into conditions in those Spanish-American countries, with similar social and industrial conditions, where universal suffrage has theoretically been established.

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consequence of political necessities at an unfavorable time, and were, to say the least, coldly received by the natives at the outset." The reviewer was on the spot in province after province as these local governments were organized, in 1901, and he knows the facts to be as contrary to these statements as can possibly be imagined. These and other acts of government accompanying them were the chief motives for peace in 1901.[1]

When, along with various American political institutions, American legal procedure was introduced into a country which retains as its substantive law in the main the codified civil law of Spain, some confusion was inevitable. Various mistakes were made in the process, none irremediable and none vital. Mr. Willis, in his fifth chapter, grossly exaggerates the confusion. He says, too: "It would be strange, indeed, were Filipinos to prefer the American legal system to that which they have learned through the ages to accept and revere." The Spanish civil code was not introduced into the Philippines until 1888, nor the Spanish penal code till 1885, and to the last days of Spanish rule the islands lacked a code of criminal procedure. During the preceding centuries they were, of course, under Spanish law and Spanish judicial procedure, but they were in a jumble of confusion, sometimes approaching chaos, on matters of legal authority. In a tone of contempt, the author belittles the introduction of the writ of *habeas corpus* into the Philippines; he reminds us that under the old Spanish law, which we think so backward and oppressive, detention beyond twenty-four hours without formulation of cause was illegal. True; but what remedy was there for securing the enforcement of this safeguard? It is a common thing in Spanish countries to place upon the statute book a high-sounding declaration of some "human right," without providing any practical process for making it good. The short-lived Philippine Republic put these Spanish guarantees into its constitution; but they were nevertheless regularly disregarded, as they had been under Spanish rule, when the politico-military authority so desired. It is noteworthy that the writ of *habeas corpus* is not a theoretical definition of a right, but a practical provision of a means for making the right effective. *Habeas corpus* does not always "run" today in the Philippines when there is occasion for it, because the peo-

[1] As for the three provinces which were given civil organization in 1901, and then had to be returned temporarily to military control, they were in each case civilly organized against the Commission's judgment and upon the urgent request of the military commander, as a "measure calculated to pacify them"—excellent evidence as to Filipino desires at the time.

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ple are too ignorant or too submissive to assert their rights; but the process for asserting their rights is there.

In this chapter Mr. Willis has also impugned the honesty of the American judges and of the highest American officials in the Philippines. Many of his statements of fact (pp. 98–119) are correct, and point to what the writer of this review believes to be the truth, *viz.*, that several of the circuit judges in the Philippines have not shown themselves to be sufficiently independent of mind, and that there has been in some cases too strong a tendency to convict and a too close concert of action between the judiciary and the prosecuting and police authorities, which are under executive control. Any conditions which even threaten the independence of the judiciary, if only in spirit, are matters of general and serious concern, and all suspicion of undue governmental influence should speedily be removed. Mr. Willis, however, makes graver charges: *e. g.*, that judges are assigned to special cases in order to secure convictions, "a reliable judge meaning one unfriendly to the natives or who can be trusted to bring in a verdict of guilty"; and that "the word of a native in a case where the interests of an American or other white man are at stake is usually considered of no value whatever" (pp. 103, 104). To substantiate such statements facts should be adduced; but these apparently rest on hearsay. They are simply intemperate exaggerations, for which there is no warrant at all in the few cases cited by the author. The hearsay with regard to Judge Odlin who, because he rebuked the attorney-general for presuming to tell him, in a case tried in Manila, what "the Government wished," is alleged to have been compelled to retire from the bench or to accept an assignment to a provincial court (p. 100, note), has been sufficiently answered by Judge Odlin himself, in a letter to Senator Gallinger. Judge Odlin says:

> There was never an intimation to me by Governor Taft or by any member of the Commission as to any dissatisfaction with my action in the Freedom case. It was never discussed. On the contrary, I have always suspected that they were pleased rather than displeased. [Six months afterward I decided to accept an exchange with another judge and serve in the provinces; I have never regretted it. My resignation to take up private practice was entirely voluntary.] The statement at page 102 of Professor Willis's book that judges of an independent courage of mind have "always been socially ostracized" is simply ridiculous. If it were not so serious, it would cause laughter only. . . . . My own experience justifies me in saying that my clients get just as good a quality of justice here in the Philippines as they would in New Hampshire or in Florida (two states well known to me), and with much more promptness than in either.[1]

[1] *Manila Times*, February 7, 1906.

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The general remarks made above with reference to Mr. Willis's chapter on the courts will apply to those on public opinion and political parties. The reviewer is inclined to agree with the "American bishop," quoted anonymously (p. 166) as saying that the "impatience of criticism shown by the Commission" has been a harmful feature of the Philippine situation. He would also agree with the author that any official influence exerted secretly to prevent the proposed Sandiko mass-meeting in favor of independence, or any such exertion of influence in general, was and is unwise and does more harm than good; just as the official prosecution of *El Renacimiento* last summer for libeling constabulary officers was politically a serious mistake. But Mr. Willis is quite too naïve with regard to the plans and purposes of some of the gentlemen for whom he appears to demand complete freedom of action; nor does he offer any explanation (pp. 166, 167) of the peculiar character and effect of the seditious dramas which have been suppressed. Closer acquaintance with the character of some of the men involved would shed a different light for him upon some of these cases of "oppression"; at any rate, every government is bound to protect itself; and where a "public opinion" based on widespread intelligence and general reading does not exist, demagogues and adventurers who are "against the government" must needs be supervised and checked. This is, of course, a delicate power and one liable to abuse; but the success of our whole Philippine experiment is dependent upon delicate adjustment. The Filipinos are only just learning how to use the right of free speech. They are in the first stages of experiment with a press of their own, and today barely five per cent of the civilized population are readers of their own press. Mr. Willis's readers who derive their information regarding the Philippines from him alone would not suppose that the Filipino newspapers are steadily gaining in independence of spirit and of opinion; that they print every day many criticisms and attacks upon governmental policy and action, sometimes true but also sometimes grossly inaccurate, making assertions far beside the mark, or indulging in personal insinuations not free from malice. The implication (p. 153) that there has been any press or cable censor since civil government was established is entirely unwarranted. In the face of the voluminous records, it is hard to find justification for the remark (pp. 156, 157) that information from the Philippines "never comes either from the Philippine Commission or from the executive at Washington, and Congress has found itself unable to elicit much additional information." Mr. Willis prefers to charge the Philippine administration with throttling the news, and does not consider how far the

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evils of a poor American press service are to be charged to the editorial theory that the public is tired of the Philippines.

In his treatment of the question of public order (chapter v), Mr. Willis has unconsciously suggested a dilemma which it would repay him to consider. Either he is wrong in his underlying assumption that ladronism today is really, in nature and spirit, the continuance of the insurrection and of a genuine popular revolution, despite the fact that this banditry is publicly repudiated by every responsible Filipino leader and by the Filipino press; or else he must admit that the government is bound to take stern measures not only against the obscure ladrones but against those who aid and abet them, above or below in society. That the bandit chiefs are often invested with some popularity, as enemies of more or less irksome authority, is true today, as it was true when José Rizal wrote his Philippine novels. Indeed, the wars since sustained against Spain and the United States, and the social unsettling thus produced, make this still more the case today. But some acquaintance with the character of the bandit chiefs would remove from Mr. Willis the idea he seems to have that they are "patriots." And if the outlawry and violence of these men, and the atrocious deeds they commit upon their fellow-Filipinos, really receive the approval of the great majority of those people, then the prospect for the success of such a Filipino government as Mr. Willis would speedily set up is remote indeed. Really, this is too harsh an accusation against the Filipino people. Aguinaldo's government had, in its brief career, its own troubles with banditry pure and simple, and with free-lance bushwhackers who disliked its control, and it dealt with them after a most summary fashion. It is not true that some bands or outlaws have been "better drilled and better uniformed than the constabulary" (p. 127); and no allowance has been made for the potent influence of terror in making rural Filipinos loath to give evidence against bandits who prey upon themselves and their property (p. 128). Anyone, Filipino or other, who has been familiar with conditions in Cavite province in the past few years knows that it is highly fanciful to speak of the now dead outlaw Felizardo as a "pacifying agent" (p. 144), because he sometimes protected those who paid him tribute. In large part, of course, it must be a matter of personal opinion as to how far "ladronism" today is really political rather than criminal in origin. But such concrete facts as Mr. Willis cites do not warrant his sweeping conclusions.[1]

[1] The figures on page 127, which are drawn partly from Mr. Ireland, and which show almost half as many Filipino losses and captures from constabulary operations in 1903 as from guerrilla warfare in 1899–1900, are complete figures for 1903, but

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The Philippine law as to ladronism is naturally very severe; death or imprisonment for twenty or more years is the punishment. Such bands, it should be remarked, invariably commit murders, sometimes by the wholesale, and they often administer brutal tortures. Proof merely of membership in such a band has been made sufficient to convict. Ten to twenty years' imprisonment is also prescribed for those who aid or abet the outlaws by giving them information or supplies of any sort or by receiving their stolen goods. Mr. Willis apparently believes these penalties too harsh; it is rather puerile, however, to criticize the section as to aiding or abetting outlawry by saying that "relations between alleged brigands and members of their families thus became a criminal offence" (p. 129). There have been instances of revenge and spite-work on the part of the secret police, who were a bad inheritance of spies taken over by the American police authorities from the Spanish régime of secret denunciations, but the following is a most extreme statement: "Philippine society is literally honeycombed by the secret service, and no one can feel safe for an instant, whether guilty or innocent" (p. 146). If it is proper to consider all highway crimes committed in the Philippines as due merely to the effort to shake off a foreign yoke, Spanish or American, then the proportion of "political" prisoners in Bilibid should be very much higher than the author, by some occult method of guess-work with the figures, sets it (pp. 135–138). He has also exaggerated (pp. 131–133) the hardships wrought by "reconcentration." The 100,000 *reconcentrados* of Batangas do not belong in his table of those "affected by this policy under civil government," since Batangas was then under full military government, with Malvar in the field. He has accepted a random observer's figure of 300,000 *reconcentrados* in Albay in 1903; there are only 240,000 people in Albay province, and many of them were not directly affected. His total of *reconcentrados* should be about 150,000 instead of 451,000. The hemp loss of Albay was much less than indicated; Mr. Willis's own footnote reference shows that shipments were afterward speedily resumed; and the drought of that year played its part in producing what loss there was.[1]

not for the period of active warfare, when killed and wounded were not all reported. Moreover, such reports were in 1903 complete for every town and *barrio* in the archipelago, while in November, 1899, the American army occupied only central Luzon north of Manila, had spread over the archipelago only by April, 1900, and never reached all the towns.

[1] We get further insight into Mr. Willis's peculiar methods in connection with his use (pp. 142–144) of a document purporting to grant immunity upon surrender to the

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With the general conclusions of the author regarding the constabulary (p. 149)—with the statements, at least, that it has frequently proved inefficient, that it contains a large proportion of unfit officials and men and that it has too often committed abuses—one may agree; and yet such an arraignment is but one-sided after all. Whatever be the means and methods adopted to preserve public order in the Philippines, some degree of evil and abuse will inevitably be associated with them. The underlying reasons lie in the past (and especially in the recent history) of the Filipinos and in their present social conditions. The mass of the people do not know their rights, and even those who know them rarely have the valor to assert them. An ignorant people, prone to lick the hand of their political or industrial masters and correspondingly prone to abuse authority over their fellows when they obtain it, presents, first and above all else, a problem of education.

Mr. Willis is not so positive as is Mr. Ireland that the first duty of the Philippine schools is to give industrial training rather than elementary training of the mind. But he is very sure that every move made in the American educational program has given evidence of gross bungling and incompetence. His discussion reads like a contribution from one of the dissatisfied American teachers, who shirked an opportunity as great as is offered anywhere in the world to do genuine missionary work and who came home to scold about the mistakes of those in authority. We read that the "more competent" teachers generally improve the first opportunity to come home (p. 233); that "in a large number of cases" teachers have turned out to be inefficient or objectionable (p. 233); that the "school system as a whole is wretchedly equipped, miserably housed and badly officered" (p. 236); that "no good results can be hoped for" from a set of foreign instructors, who change so frequently "as to preclude the possibility of establishing

leader of the Albay disorder, Simeon Ola, part of which agreement purported to be a promise on the part of Colonel H. H. Bandholtz, a constabulary chief, to see that a certain Filipino should be elected provincial governor. The alleged agreement is countersigned by this Filipino, who afterward became governor by election. The very contents of the document, and the counter-signature of the Filipino promoter of the arrangement as "secretary of war," should have raised doubts of its authenticity with Mr. Willis, if the mere facts that Governor Taft recognized no claim to immunity and that Ola was prosecuted and convicted of banditry did not suffice for him. Colonel Bandholtz says: "No such terms were ever given Simeon Ola or any of the Albay bandits, and I have ample and conclusive proofs of this. The document which he [Willis] reproduced was one that I not only did not authorize, but I had never seen it or even heard of it until it was published in his book." The query arises, why did not Mr. Willis make inquiry of Colonel Bandholtz before launching such a charge of governmental control of elections?

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relations of mutual confidence and respect with the population" (p. 242), only "a few" having gained some hold upon the people (p. 229). Finally we are told that "those who have brought abuses or native complaints to the notice of the authorities have often been transferred to other provinces more remote from Manila" (p. 245). The tyrannical government again! And what a tale of errors and incompetency!

It may readily be guessed that Mr. Willis got his information as to the Filipinos' attitude toward our schools from certain Manila radicals. Some of these are not really Filipinos at all at heart, nor to any extent in blood, but are Spaniards; others, if Filipinos, have through education in Spain a preference for the Latin languages, literatures, educational methods and political institutions. Some few there are who, without conscious Spanish preferences or suspicion of things Anglo-Saxon in general, honestly fear that the English language and American educational methods may interfere with the growth of Filipino "nationalism." These last fail to see that anything which spreads education and fosters intercommunication must really help the growth of a national spirit and consciousness, which has been most hampered in the past by the lack of a common medium of communication and by poor methods of transportation. As for the other "Filipinos" previously mentioned, it may be said that they do not represent their people in holding up Latin ideals and methods as Filipino aspirations; only superficially was this true in the past, and the time has gone by when it could ever be fully realized. The men of this category are genuinely and positively anti-American, and will always be so at heart, for they prefer Latin to Anglo-Saxon molds of civilization; but in this respect they represent the Filipino people only superficially and in certain particulars.

Drawing information from such sources, Mr. Willis has not one word to say of Filipino enthusiasm over the American school work—an enthusiasm which may fairly be called quite general. Indeed, he believes that very little interest is felt in the public schools and that such interest is largely maintained by the desire to learn English in order to pass the civil service examinations. Such apathy and disregard of educational opportunities as he believes to exist would, if they really existed, be the most sure sign of the unfitness, not only present but future, of the Filipino people for such a self-government as he would give them in five years or so. To be sure, he quotes the census figures showing a large number of private schools in the Philippines (p. 231, note); but he ought also to have given the enrolment of these private schools, and

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he should have told something of the educational facilities they offer and of the equipment of their teachers. He could have learned that early in 1905 the number of public schools in the islands (as the result of Doctor Barrows's campaign, pushing them out into the *barrios* of the towns) had risen to over 4000, instead of the 1633 shown in the census. Similarly, he has taken census figures a year and a half old, showing the total enrolment of the public schools to be 220,000, when it had risen by 1905 to over 500,000.

It will not seem strange that some experimentation as to educational methods and details should have been necessary in the Philippines; it will continue to be necessary, just as errors will continue to be made. Mr. Willis makes scant allowance for the newness of the whole experiment; he himself, after two or three months in the islands, gives us the program for "a rational system of education" therein. He does not correctly state the reasons for making English the language of instruction, nor the original plans for the work of the American teachers. He greatly underestimates the amount of English spoken today; more Filipinos can speak English than Spanish. He should have made closer inquiries as to the stage of development of the Philippine dialects and as to the literature in these dialects.

This author's dominant desire to criticize is nowhere better shown than in his chapter on "The Church Problem." Partly upon the information of some "attorneys" and other anonymous persons, he declares that the purchase of the friars' lands has been a failure, since the best part of these estates has been retained by the orders (a statement absolutely incorrect); that the price paid was too high, and that the native occupants must now pay an unfair rate for land which they considered already their own (it may be suggested that he try to buy some of the "best land in the archipelago" for twice the $18 per acre which he considers a "very high valuation"); and that the removal of the friars is not assured by the purchase, since they are regularly coming back in numbers (another statement which will not bear comparison with the facts). The author's phrase on page 198, with reference to some of the friars' titles resting upon "long possession," which is worded as if it were a new disclosure, and his amazing remark that the government has "practically consented to the retention" of their property by the religious orders, can be understood only upon the assumption that he thinks a prescriptive title of little importance, and that he does not understand that Anglo-Saxon jurisprudence and statesmanship both forbid confiscation, in a degree that has never been true in Latin countries. Mr. Willis appears on the title-page as "professor

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of economics and politics at Washington and Lee University"; therefore it is rather startling to find how he ignores all the obstacles that a long line of legal precedents would interpose to such an offhand settlement as he would apparently favor of all the questions relating to the property of the religious orders and the Roman Church in the Philippines. For him, there is no legal difficulty at all about deciding in whom title to the Philippine parish churches should be vested. Along with the subtlety of its insinuation against the governing authorities of the Philippines, note the *naïveté* of the following passage:

> How will the Commission decide this question through the courts? The principles of law which govern it must be of an extremely elastic character, capable of being interpreted in almost any manner that may be suggested by authority. In fact, the problem is essentially ethical and political rather than legal in character [p. 216].

The courts (including the United States Supreme Court, to which appeal of such a question lies) will, it may be presumed, hardly dismiss the legal questions involved quite so easily.

In fairness, Mr. Willis should have made plain that it was after Mr. Taft ceased to be the governor that there occurred the instances he cites of minor governmental favors shown to Roman Catholic officials (American bishops), as compared with a coldness toward Aglipay and the schismatics. Anyone who has followed at all closely the thousand and one intricacies and pitfalls of this socio-political problem left us as a legacy of Spanish rule, will unquestionably pronounce Mr. Taft's successful steering through these entanglements as almost his strongest claim, personally, to the gratitude of the Filipinos, and as perhaps the greatest net achievement, thus far, of the American government in the Philippines. Mr. Willis might with great profit study more closely the history of the Aguinaldo government as bearing upon the religious question; particularly the split in the Malolos Congress, the 1898–1899 plans of Father Aglipay, the confiscation of friar property (also the disposition made of the proceeds) and all the other evidences that bitter civil strife would have divided the Filipinos upon the religious question, had no impartial hand intervened. He has never even considered the extent to which the situation is complicated by the failure of the Filipinos, even of most of the educated Filipinos, to comprehend what separation of church and state really means in actual practice. If they did comprehend it, the religious problems in the Philippines, so far as they are political in character, would speedily settle themselves.

Mr. Ireland's chief criticism of the American government in the

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Philippines is that it has not, in imitation of British colonial patterns, set out primarily to further the economic development of the islands. He regards it as wasteful and quixotic to spend proportionately large sums on education and upon an administrative organization which looks toward the social and political development of the people themselves. Without adopting this point of view, Mr. Willis has nevertheless followed Messrs. Ireland and Colquhoun in claiming that the Philippine government has done little for public works and improvements. But not one of the charges of inertness in this respect that are repeated from Mr. Colquhoun (p. 369) was true when the latter made them. Ignorance of the former condition of the Philippines as to roads, bridges, *etc.*, is in part responsible for the loose statements made by all these writers. In part, too, information has been drawn from Filipino politicians and foreign (especially British) business men at Manila. These last are the most reckless critics of the present administration, partly because of their resentment over the fact that some of their modes of commercial extortion have been checked, and also because the more normal conditions now established preclude their making the high profits of the times of military rule in 1899 and 1900. Only thus can we explain Mr. Willis's assertion that "it is generally conceded" that the roads "are today very much worse than in Spanish times, and that our expenditures in repairing them cannot compare with the outlay of our predecessors [the Spaniards]." The islands were never well provided with roads in the past, and the same is true today; and the existing roads are still in more general disrepair than before warfare began. But American exertions and expenditures in this respect have, barring certain provinces specially favored in the past, been very greatly in excess of what they were under Spanish rule. Mr. Willis should have mentioned that, in giving a degree of "home rule" to the provinces in 1901, it was expected that they would take care of their own roads, while the central government should devote itself to trunk roads or highways of exceptional importance. This expectation has not been realized—here again we have one of the matters in which greater centralization has been forced upon the insular government—and the road work will henceforth be supervised and in large part done by the central government. During the fiscal years 1904 and 1905 there were constructed under insular appropriations (quite largely out of the Congressional relief fund of $3,000,000) 354 miles of road at a cost of 1,574,300 *pesos;* up to August, 1905, out of provincial revenues, 2615 miles of road had been repaired at a cost of 687,821 *pesos*, and 2100 bridges and culverts have been newly built or repaired at a cost of over

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450,000 *pesos*. This is rather a different story from that told by Mr. Willis's figures and assertions.[1]

It is generally conceded that the Philippines are not today in a prosperous state. But how true is this author's picture of starvation and suffering? It is time that the quotation from "General Bell" (p. 23), to the effect that one-sixth of the population of Luzon died as the result of the warfare of 1899–1901, received its quietus. This was an anti-imperialist bulletin, based on an unverified newspaper interview, not with the well-known General James F. Bell, but with General James M. Bell, a different man entirely, whose personal experience was practically confined to the three southernmost provinces of Luzon, where there was comparatively little fighting. If the interview was authentic, the soldier in question had not the data on which to base such a statement. And the cold figures of the census of 1903, the first real census the Philippines have had, prove that it could not have been true. Mr. Willis would not have so overdrawn the picture as to rural distress and lack of males of working age (pp. 343–345), had he consulted the final figures of the census (which, as we have seen, he found time to consult in giving school enrolment figures that were already antiquated and useless). One would suggest that his "disproportionate number of women and children" is in part due to his observing, as he drove along some rural roads, women and children about the houses while the men were in the fields and forests. At any rate, the census of 1903 showed only about 90,000 more females than males of 18 or more years of age among all the civilized Filipinos.[2] Since Mr. Willis has spoken as if he were describing conditions general throughout the Philippines, it is fair to compare with his statements these figures for the whole archipelago. It is plain, however, that he has drawn his information from men of certain provinces, especially Batangas, and has had in mind particularly a few of the provinces where the warfare was most prolonged and was waged with "marked severity." The census of 1903 showed ten per cent more women than men in Batangas province. How unsafe it is to draw rapid conclusions from these figures is indi-

[1] Meanwhile, more than $2,000,000 have gone into the Benguet road (partly from the relief fund), very much strengthening what Mr. Willis has to say of the comparative extravagance of this road to a "summer capital." The future will have to show whether this road can justify itself.

[2] Census, vol. ii, pp. 14, 15. From the totals of males and females respectively, deduct the figures for males and females under 5 years and from 5 to 17 years; then allow for the adult males in the Philippines of American or European birth, also Chinese or other Asiatics than Filipinos.

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cated by the fact that in Capiz province, which saw comparatively little fighting, there were twenty per cent more women than men, while in Iloilo province, another part of Panay Island, which saw much more fighting than Capiz, there were only four per cent more women than men. The explanation of these last figures is perhaps chiefly to be found in the absence from Capiz of laborers engaged in planting and harvesting sugar in Negros. Laguna, a center of trouble no less than Batangas, showed but two and one-half per cent more women than men. But Union, which escaped the war except for some bushwhacking, had five per cent more women than men, while Tarlak, which saw much more fighting than Union, actually had in 1903 more men than women. Leyte and Sámar both saw plenty of fighting—Sámar is one of Mr. Willis's theaters of "marked severity"—and both had in 1903 nearly four per cent more men than women. It is fair to ask the author why he focused his attention so exclusively upon Batangas, and why he failed to note the remark of the census editors (vol. ii, p. 64) that "all the Tagalog provinces except Batangas and Marinduque [a little island] were above the average" of the archipelago in the proportion of males of voting age to the total population. It is fair to insist that he should confine himself to actual figures even for Batangas, not accepting the reckless assertions or manufactured statistics of the Sixto Lopez class of Batangans—who by the way, were far remote from the fighting.[1] The census (vol. ii, pp. 312, 313) showed that males of militia age form nineteen per cent of the total civilized population; in Batangas, they made up seventeen per cent; in Union, with little fighting, only sixteen per cent; in Cagayan, with even less fighting, eighteen per cent.

Surprise need not have been expressed (p. 266) that "the more rigid sanitary control exerted by the Americans has been followed by an era of disease and death probably never before paralleled in the history of the islands," for this surprising statement is not true. Mr. Willis need go back for a good comparison only to 1882, when the deaths in Manila and its environs from the cholera epidemic reached 30,000 to 40,000 (the figures were never given exactly even for the capital, and scarcely at all for the provinces), as compared with 4000 deaths in almost the same district during the epidemic of 1902–03. It is above all worth noting that cholera started again in August, 1905;

[1] Figures as to the loss of population and general decline of industry of Balayán, the home of the Lopez family in Batangas, lately circulated in an anti-imperialist document, are quite in point; most of the figures of these "statistical tables" have been made out of whole cloth.

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that it has been confined to Manila and a few neighboring towns; and that the mortality has been restricted to a few hundreds. Only sheer prejudice can explain the statement that the efforts against smallpox have not been "attended by satisfactory results"; the board of health has made its best record here. Our author is also entirely wrong in his charge (p. 269) that "all medical aid to the Filipinos, all dispensary and similar work, has thus far come from private religious or secular charities." This has not been the case under American government either military or civil, as the slightest inquiry would have shown. Further knowledge of social and moral conditions under Spanish rule would have made the author more careful, again, in his statements regarding sexual morality and disease in the past and now. It is rather petty, moreover, to blame the new régime for not having already made good provision for the defective classes, especially the insane (almost invariably harmless) and the lepers, and at the same time to belittle the efforts already made on behalf of the latter. The author would do well to consider somewhat the Filipinos' preference for maintaining the family life of their defectives and even their diseased—a preference amounting to a violent prejudice against all government quarantine and segregation methods, detention-camps or hospitals, and constituting the most potent cause of the high mortality from cholera. It is certainly strange not to take into account the woful ignorance and superstition as to sanitary methods which make either epidemic or endemic diseases so fearful in the Philippines.

Similarly, Mr. Willis nowhere makes any allowance for the improvidence and unenergetic character of the Filipinos and their lack of initiative, as bearing upon their unsatisfactory "rural and agricultural conditions." This is especially true with respect to his discussion of the land tax (pp. 352–355). It is not wholly true that this tax is a new idea in the Philippines; it was long urged by the best Philippine economists under Spanish rule, and was in part tentatively introduced. Its opportuneness in 1901 may very fairly be in question; but the essential fairness and wisdom of a tax which shall more directly than in the past reach the holders of property can not be questioned. The need for fuller data as to land tenure, methods of production and bases of valuation has been shown by the faulty workings of this tax until its temporary suspension this year. Some such tax, imposed after more thorough study of conditions, province by province, and administered more scientifically, must inevitably form a very important part of the future Philippine fiscal system. There will arise, in the fuller reconsideration of the tax, the question of a choice between the Anglo-Saxon

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ad valorem levy and the Spanish principle of a tax on rental value in one form or another (a principle also commonly applied throughout the Orient). In so far as a tax upon assessed valuation will make Filipinos develop unused or imperfectly used pieces of land, it is to be preferred, as exerting the sort of stimulus to greater initiative which is sadly needed among them. Many of them are spending time in political agitation about high taxes or in petitioning for their suspension, time and energy which might be used in making their land pay not only the taxes but rich profits. Nevertheless, it is conceded that the land tax was imposed at a time illsuited to such an experiment.

A "relative reduction of agricultural prices" (p. 355) has been assumed—largely, it would seem, upon the testimony of pessimistic agriculturists. The Philippine producers are worst off as to sugar; but even here they are not in the wretched dilemma represented to the author (p. 357). Because conditions are not altogether roseate, it is not necessary to accept all the calamity stories of the Filipino producers; and it is genuine friendship to them—it is of the large cultivators and proprietors that I am now speaking—to tell them that the chief trouble lies in their disinclination to get down to work, to study to improve their methods of cultivation and preparation of crops, so as to occupy a better place in the world's markets. As we shall note later, they had begun falling behind in this respect before American rule began, and "hard times" had an earlier origin, though aggravated by the unsettling and destruction incident to war, and above all by the loss of draft-animals by disease.

About the only instance in which Mr. Willis has made allowance for the time element, and has suspended judgment in recognition of the brief period since the new government was organized, is with regard to the land laws, providing for homesteading, perfecting of squatter-rights, sale of public land, *etc.* (p. 375). The reviewer has always felt that a way could be found to promote the desired development of areas today going to waste in Mindanao, Mindoro and other regions that are practically unpopulated, and at the same time to safeguard the future interests of the Filipinos against "exploitation," by conferring upon the Philippine government authority to lease for long periods large tracts of such unoccupied territory, retaining in the government the title and the right to control the administration of such areas and to revise the leases in the interests of the people. The question of future internal development through the homestead and occupants' privileges depends very considerably upon the amount of initiative which the Filipinos themselves shall show; it rests primarily with themselves to improve their opportunities.

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Mr. Willis assumes that we are on the eve of a merciless exploitation of the Filipinos. The talk of the "exploiters" which seems so to have impressed him is that of disappointed men, who bitterly declare that, by restrictive legislation, the prospect for legitimate and desirable development of Philippine resources has been blighted. He is loath to give credit either to Congress or the Philippine authorities for the hindrances that have actually been interposed to the "exploitation" that looms before him as so great a bogie. He does say (p. 403) a good word for Mr. Taft's opposition to the admission of the Chinese—the one case noted by the reviewer wherein the former governor of the Philippines has gained the writer's approbation. He is quite of a mind with a certain group of anti-imperialists who have encouraged the Filipino radicals to oppose the governmental plan for securing railroads in the islands, upon the ground that this is merely a sinister scheme for the enslaving of the Filipinos, the entering wedge for "exploitation" by American capital. Like parrots, these Filipinos are repeating in their press the Boston-made arguments against perpetual franchises and governmental guarantee of interest upon the bonds; it is only a pretext, they are told, whereby Mr. Taft means to make independence impossible. And with the next breath these Filipino politicians and American critics will denounce the government because it does not improve the methods of transportation and further the prosperity of the people by aiding internal development!

As to the land bank and the undoubted need for better facilities for agricultural credit, Mr. Willis is wrong in assuming that the way has not been open for private enterprise in this direction; such enterprise would have been welcomed, but private capital has not come forward. "Unquestionably" the Philippine Commission has *not* "full authority" to deal with this matter, as he asserts (p. 350). Congress has shown jealousy of its power with regard to Philippine fiscal legislation; and any scheme for government support or guarantee for a land bank in the Philippines will probably be denounced in Congress as "populistic" and dangerous.[1] Usurious rates of interest are no new thing in the Philippines; they have been higher in the past, and the present rates are overstated in this book.

Minor errors in comparing the Spanish and American régimes and in regard to navigation matters might be pointed out, but the survey of

[1] It would be interesting, by the way, to have Mr. Willis's opinion of Aguinaldo in the rôle of a statesman, expressed after an analysis of Aguinaldo's remarkable scheme for a land bank—mentioned on p. 310—and especially of the scheme for a net of "coöperative railways" which accompanied the land-bank proposal.

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tariff and shipping legislation (pp. 271–300) is in the main accurate, and shows properly the neglect and ignorance of Philippine needs on the part of Congress. So, too, chapter xiii, on "The Business Situation" is, in its main essentials, sound and accurate, and the reviewer believes that the following general conclusions can not be gainsaid: (1) Philippine trade is no great item over which to labor and dispute, in any event; hence in reaching for it we can not afford to prejudice our general position in the Orient, especially as to the "open door," by preferential tariffs or shipping restrictions. (2) The development of this trade and of the resources of the Philippines must be slow and gradual. (3) The idea of converting Manila into the "trade-depot" of the Orient is picturesque nonsense; the economic wastefulness of transshipment would always be against it; and it is the filmiest promoter's dream, so long as we cling to a system of preferential tariffs, in the face of free ports virtually on the Asiatic mainland like Hongkong and Singapore. One might point out in this chapter also minor errors of fact, and one recognizes here again the criticisms of business men in Manila who do not like American rule. A few general remarks may be made as to the analysis of trade figures on pages 313–323: (1) In part, heavy rice importations during recent years indicate a tendency to neglect the less profitable food product for the high prices to be obtained for the great export crop *abaká* (Manila hemp), and these figures are to some extent therefore a sign of prosperity, though such prosperity is localized. (2) Though it is true that the principal source of the increased imports into the Philippines is money from the United States treasury spent by the soldiers individually or by the government directly, yet it is also true that the purchasing power of the Filipinos generally has increased, not only from this source, but also from the very great growth in value of exports—a hard statistical fact that can not be evaded. (3) The increased imports are partly due to there being in the hands of the Filipinos more money than ever before in all their history, and o the fact that their clothing and diet have, in large districts of the archipelago, very noticeably improved—that the standard of living has in fact been raised.[1]

The culmination of Mr. Willis's arraignment comes in his chapter on "Income and Outgo." He makes it appear that this government of oppression and incompetence is costing the Filipinos more than five

[1] This, of course, flatly contradicts the statements made by Mr. Willis. He who wishes to enter into a further analysis of these trade figures will find some data for it in one of a series of articles contributed by the reviewer to *Dun's International Review*, New York, December, 1905, pp. 23–25.

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times as much as did the Spanish rule against which they revolted! Mr. Ireland exaggerated the cost of Philippine government by including some mere bookkeeping totals, wherein certain expenditures were duplicated; then, asserting incorrectly that Philippine internal trade is negligible, he figured the cost of government to the Filipinos as being forty-six per cent of their exports—in other words, almost one-half their total capacity for production. This much-quoted criticism was sufficiently inaccurate, but Mr. Willis goes far beyond it. These writers' criticisms on the way in which the figures for Philippine receipts and expenditures have been presented in the annual reports of the Commission are entirely justified.[1] Nevertheless, if sweeping statements as to the cost of government and comparisons with the Spanish régime are to be made, we have a right to expect that colonial experts and professors of economics will take the trouble to get the exact figures. Mr. Willis's table on page 408 includes in its totals of receipts and expenditures many items which are gross instead of net; yet it forms the basis for deductions and comparisons (pp. 410–427); and he foots up a grand total thus obtained as showing the "actual cost to the natives of the Philippines of four years of Commission government." For the purposes of comparison for which he has used them, some of his items of receipts and expenditures are practically doubled. He has also failed to obtain the complete figures for permanent improvements (p. 411), and thus makes out the annual cost of "maintaining peace and order and of legislation" to be $10,300,000 (it should be $11,300,000, according to his figures), to which he adds $3,200,000 as the annual cost of municipal and provincial governments. Why, if Mr. Willis was unable to untangle the published figures, did he not get, while in the Philippines, the statements showing the actual expenditures and the purposes for which the expenditures were made for the fiscal years 1902, 1903 and 1904 (during which years only had the present government been in full operation), and thus calculate the average annual cost of government?

It is proper to take into account, as bearing upon the cost of this new enterprise to the American people, the $30,000,000 or thereabouts annually spent from the United States Treasury in the Philippines (pp.

[1] In justice to the auditor, it should be said that his ideal has been a bookkeeper's and not a statistician's; that he found a very confused system of accounts and had first to restore order; and that the government has been since 1901 in the formative stage and has involved many features calculated to upset statistical tables, such as the existence till recently of a fluctuating currency, the establishment of a new currency in its place, a changing system of appropriations, *etc.*

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412, 413, 427–433). It is also proper to take into consideration that the Philippines themselves formerly paid for the Spanish and native soldiery in the islands (until the revolt of 1896), for Spain's diplomatic and consular service in the Orient, for part of the cost of Spain's colonial ministry, for colonial pensions, *etc.* But in so far as we are invited to consider the actual burden of insular government supported by the Filipinos now and formerly, these figures do not enter into the comparison. For the tax burden under Spain, Mr. Willis resorts (pp. 414–419, 426) to the report of the first Philippine Commission, showing Philippine revenues of 13,579,900 *pesos* in 1894–95.[1] These figures were not carefully analyzed in that report, and Mr. Willis has not sought information elsewhere. This Spanish budget did not, as he supposes, cover all the cost of provincial and municipal administration; and in it the burden resting on the people under Spanish rule was far from fully shown. The amount assigned to "churches and courts" covered salaries to parish priests and certain supplies to the churches, but not the many sorts of church dues, often the heaviest burdens upon the common people and practically a governmental exaction, enforced by the authority of the most powerful branch of Spanish government in the islands. Then there was the forced labor (not now exacted) for work on highways, *etc.*, forty days in the year before 1883, thereafter fifteen days. Moreover, many acts of government and not a few subordinate officials were paid wholly or in part by fees, apart from the sales of stamped paper included in the budget; perhaps $1,000,000 was thus levied on the people to support petty officers who, if they exist today are paid salaries, excepting justices of the peace. Last but most important of all, "squeeze" was common, as it is not today. In the matter of customs revenues alone, the actual amounts paid by importers (hence, by the mass of consumers) was considerably in excess of the sums officially reported to the treasury.[1] This is the chief explanation of the remarkable increase in customs receipts under

[1] It is worthy of note that Philippine revenues for 1896–97 had risen to about 17,500,000 *pesos*, besides the issue of war bonds to the amount of 40,000,000 *pesos*. Mr. Willis reports inability to find a budget of the Aguinaldo government; he will find an incomplete budget and revenue law, as decreed by Aguinaldo, in Report on Organization . . . instituted by E. Aguinaldo and followers . . . . by Capt. J. R. M. Taylor, War Department, 1903, pp. 68–77.

[1] Collusion and fraud naturally played the largest part with relation to imports having the highest value or paying the highest duties. This takes away the significance of Mr. Willis's computation of the average *ad valorem* rate of duties under Spain as first 14.5, then 22.5 per cent, compared with 27.8 per cent from 1900 to 1903.

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American rule, while the Spanish tariff was still unchanged and while large parts of the archipelago were closed to trade. The courts were also flagrant offenders, and "justice" was often bought. This is not to say that all Spanish and native officials were then "grafters;" but the practice was so common as almost to be a recognized thing. This is one accusation at least that Mr. Willis has not brought against the American officials today.

Another item of importance: it would be right for Mr. Willis to calculate the Spanish expenditures for 1894–95 at the rate of fifty cents gold to the *peso*, if the comparison related only to that one year. But the silver dollar had just reached that value at the end of a decline which began in the latter seventies. The Spanish budget ran from 11,000,000 to 14,000,000 *pesos* from about 1880 to 1895, and was quite uniform in content as to taxation items after the reforms of 1883 —when, in particular, the tobacco monopoly was abolished. But an average value of the *peso* for the whole period would be about 75 cents gold. This would give us a cost of government of from $8,000,000 to $10,500,000 gold, not considering the higher cost of government from 1896 to 1898. Now, to make a fair comparison with American rule, we should have to take all the omissions from the Spanish budget into account, as mentioned above. This would give us an average cost of government under Spain of $10,000,000 gold at the very lowest (loss from "squeeze" remaining unestimated).[1] Including municipal and provincial governments, the cost under American rule will be, for the year 1905–06, about $12,500,000 net (with a somewhat higher average for the years 1902–1906). This is a rough approximation to the truth. Moreover it includes, upon the American side of the ledger, expenditures for schools, sanitation, harbor improvements, roads, *etc.*, far surpassing the record of Spanish rule in these lines. It does not include the currency reform, purchase of friar lands, Manila municipal improvements, *etc.*, which have been paid for by bond issues, nor take into account the $3,000,000 gift of Congress or the things done with it.[2]

[1] Nor is the money drawn from the people by the friars, either as parish-priests or as landlord-orders, here considered. V. Diaz-Perez (Los frailes de Filipinas, Madrid, 1904, pp. 42, 43) estimates the product of the friars' estate at 16,000,000 *pesos* annually, the church dues at 5,000,000 *pesos* annually, and states the amount paid by the government to the church or its priests as nearly 1,500,000 *pesos* in 1895.

[2] In many respects the best treatise on Spanish fiscal policy in the Philippines is Gregorio Sanciano y Goson's El Progreso de Filipinas (Madrid, 1881). It shows the estimate of necessary expenditures for 1881 to be 16,500,000 *pesos* (when the *peso* was worth about 90 cents gold), calls attention to the woeful inadequacy of educational

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Nor is this all. The very decline in foreign-exchange value of their silver money, which enabled Mr. Willis to halve the total of the Spanish budget, added in some ways to the Filipinos' burden. The currency evils were the chief topic of discussion as regarded the Philippines for six or more years preceding the outbreak of 1896, but nothing of importance was done. The "hard times," for which Mr. Willis blames American rule entirely, had really begun before the war. Owing to archaic trading conditions, the small producer got but little of the benefit of raising his crop in a silver country and selling in a gold market. Wages remained quite stationary during the decline of the *peso*, while the purchasing power of the day's wage was steadily decreasing. Since American occupation, the laborer has in part been getting his due by the readjustment of wages attendant upon war and change of sovereignty; but the actual cost of labor, measured in gold, has not greatly increased.[1]

We come now (p. 426) to the most amazing of the author's tabular comparisons. Against the Spanish collections of 13,579,900 *pesos* for 1894–95, Mr. Willis sets his estimate of 12,100,000 *pesos* to be collected under the new internal revenue law, of 18,900,000 *pesos* for customs collections (a figure more than 2,000,000 *pesos* in excess of net receipts for either of the past two years), and of 4,300,000 *pesos* for proceeds of the land tax (another excessive estimate). The actual collections under the new internal revenue law for the first half of 1905 were at the rate of about 7,000,000 *pesos* annually. And Mr. Willis must have known of the announcement that this law was designed in part to open the way for the reduction of the customs revenues. Yet he is willing to set such an exaggerated hypothetical estimate of revenue collections against the incomplete statement for a comparatively low year of Spain's actual collections, and in the next breath he says: "This furnishes a comparative test of the real burdens resting on the people ten years ago and at the present moment." The burden of taxation at the present moment he thus represents to be over 35,000,000 *pesos*. The revenue collections for the fiscal year 1904–05 were

and public works expenditures, and declares that any properly efficient Philippine government must cost 30,000,000 *pesos*. As a principal means for getting the necessary increase of revenues, a land tax was urged.

[1] But Mr. Willis criticizes the Philippine currency reform too! In part, this is because he thinks, in opposition to the judgment of those who studied the question, that the United States currency should simply have been transplanted to the Philippines (pp. 307–309). He also complains (p. 305) because the silver market was not forestalled and all the needed silver secured before a rise began in the world-market.

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really 18,264,000 *pesos*, net, for the insular government (according to figures furnished the reviewer in Manila last August) and about 9,500,000 *pesos* for the provincial and municipal governments, or a total of less than 28,000,000 *pesos*. Comment is unnecessary.

The new internal revenue law is, in the judgment of the reviewer, not wholly defensible either in conception or execution. But this is not on account of its levies upon tobacco and alcoholic products, nor can we accept the frenzied and reckless statements of the tobacco and alcohol manufacturers when it was on its passage (echoed in part by Mr. Willis on pp. 424, 425). The great objections to the law are, first, its intricacy of detail and necessarily large machinery of administration; second, its inquisitorial features, surpassing even the Spanish system in this respect; and third, the return in some respects to the Spanish principle of taxation upon business transactions and upon persons rather than upon property. It is rather curious to note that Mr. Willis leans to Spanish ideas of taxation in his brief outline of a model Philippine government (p. 452).

Mr. Willis's constructive plan is, indeed, very incomplete, for one who would have the Filipinos set up so soon by themselves (p. 449). We might ask him to describe any "native models" for local governments; there are Spanish models in the minds of the aristocracy, but no native models are left, except among the hill tribes and Moros.[1] As for "thrusting upon the Filipinos the ideas and institutions which have been developed by the Western nations" (p. 444), we may ask, what were the social and political ideals set up by the Filipinos at Bakoor and Malolos? That the Aguinaldo government was a successful going thing he thinks "amply attested" by evidence (pp. 441–444) which is really at variance in most important respects with the actual records of that revolutionary government. The standard documents of those who declare this government a success are the articles of the naval officers Wilcox and Sargent, which are mainly remarkable for what these observers in 1898 did not see and learn in the places they visited, as may be proved by reference to insurgent documents and various publications in Spanish upon this period.[2] Nowhere does Mr. Willis allow for

[1] The picture of "a successful tribal or patriarchal form of rule" in some little islands north of Luzon (p. 442) is mainly phantasy. The Calamianes islands, by the way, are not there, but near Palawan.

[2] Those who desire to check up the accuracy of Messrs. Wilcox and Sargent as observers are referred to the insurgent records in the War Department (including Taylor's report, above cited); and to the following especially among Spanish publications: Father Graciano Martinez, Memorias del cautiverio (Manila, 1900); Carlos Ria-Baja, El desastre filipino (Barcelona, 1899).

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the great gap between the ideals of the few educated Filipinos and the actual state of the masses. It is the Filipino intellectual oligarchy from whom he has heard and of whom he is thinking. Correspondingly, he will take evidence from any source, even from John Foreman, as to the brutality of American troops in the Philippines, being led thus into gross errors of statement (pp. 10, 14, 15, 16, 251), such as that "quarter was seldom given."

Enough has been brought out to show that here is a critic with a very strong bias preparing a political brief, not the calm, detached survey of events and conditions to be expected from a professor of economics and politics. There are, as indicated, many criticisms in this book which deserve the careful attention of our people at home and of our Philippine administrators as well. But errors, exaggerations and insinuations are so interblended with accurate criticism as to make the book a wholly unsafe guide for him who can not go fully into the already very large bibliography of the American occupation of the Philippines. Mr. Willis insinuates that it would be risky for his informants for him to name them; but we have seen that it is not hard to recognize the sources of most of his information, and the two or three Filipino names he does give certainly do not inspire confidence.

His personal bias can not be better shown than by his insinuations (mostly covert) against Mr. Taft. By representing the president's instructions to the Commission upon April 7, 1900, as giving to that body power to legislate "under such regulations as you [Governor Taft] shall prescribe," he makes out (pp. 31, 32, 41–45) that Mr. Taft was a dictator in the Philippines. He could easily have noted that those instructions were addressed to the secretary of war, and the "you" referred to Mr. Root, who was to supervise the exercise of this portion of the war power of the president. The powers ascribed to the governor-general (p. 45) have not in fact been conferred upon that official. Incorrect also are the assertions (pp. 42, 43, 49) that the Commission has been averse to holding public sessions on proposed laws and to hearing and heeding Filipino opinion; under Governor Taft, in particular, the very reverse was the case. Again Mr. Willis represents (pp. 20, 21) the Commission under Mr. Taft as "pushing forward the notion of commercial exploitation"; how some of their business critics at home and in the Philippines—or Mr. Ireland—must smile at this! He distorts (p. 164) the meaning and spirit of Taft's famous valedictory to the Americans in Manila in December, 1903. He finds "nothing of a striking character in Mr. Taft's testimony" at Washington in 1902, testimony which attracted national attention and won a tribute to the

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witness's fairness from practically every Democrat who afterward spoke in the debate. He deliberately suppresses, with stars (p. 254), clauses of Mr. Taft's testimony regarding the examination of prostitutes in Manila, so as to warrant the charge that this testimony was "unfair." He virtually distorts part and ignores part of Mr. Taft's testimony regarding the Federal party, though citing its place in a footnote (p. 174). On pp. 173–178 there is bald misrepresentation of Mr. Taft in his relations with that party, and he is accused of "insincerity" (p. 175), or of worse (p. 188). The writer of this review is personally familiar with the history of the Federal party from the first, and knows that Mr. Taft did not encourage the Filipinos to believe that statehood was probable of attainment, nor fail to warn them that the American people would have their say about that question; much less did the idea originate with him or did he "counsel" its being set up as a party slogan. All good, real, representative Filipinos, according to Mr. Willis, are members of "the Nationalist party, the principal political body of the islands," also comprising "the general mass of the people." He speaks as if he imagined that the Filipino Nationalists were what they never have been and are not today—*one* party. It is to be hoped that such an alignment of Filipino opinion may early be brought about, under competent, patriotic, really representative leaders, who will not fight with each other and divide into factions, as they always have in the past. The Assembly elections next year will afford a good test of this possibility, at the same time that they offer a good opportunity to the demagogues.

Finally, Mr. Willis insinuates (p. 435) that at Washington secret influences "in behalf of financial and industrial interests" have successfully intervened to take dishonest advantages at the expense of the Filipinos. He speaks of "features of administration," and apparently refers to dishonesty in the war department, not to Congressional action or inaction regarding tariffs, shipping, *etc.* This is a serious insinuation. Why does not Mr. Willis give us the specifications?

Mr. Willis's book has been made the basis of the preceding lengthy discussion, because it is the epitome, as it were, and the most pretentious of a series of attacks upon American administration in the Philippines, which, though purporting to be based upon a careful and competent survey of Philippine economic and political conditions, have in fact no claim either to carefulness or competence. It is a pleasure, therefore, to note the appearance of a Philippine economic study which is justly entitled to commendation on both these grounds. Such is Dr.

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Victor S. Clark's monograph on *Labor Conditions in the Philippines*, with which the student of the Philippine question will do well to couple his monograph on *Labor Conditions in Java*.[1] It would not be an exaggeration to call Dr. Clark's monograph the best economic study yet added to Philippine bibliography. There are publications in Spanish which have a greater arsenal of data, but no real economic study of the Philippines, in the modern sense, was put forth under the old régime. Upon the question of the price of labor, as connected especially with the fall in the purchasing value of the Philippine currency, the student will find Dr. Clark's monograph particularly valuable. The author has carefully held himself within the limitations of his study (which has been considerable) of the Philippine past. What is still more important, he has not failed to take into account Philippine social conditions at every stage, and the picture he presents is therefore true to life, and is no mere theorizing with cold figures. The significant social differences which Dr. Clark finds between the Filipinos and the Javanese may be commended to the attention of Mr. Ireland.

No history of the Philippines, properly so termed, has yet appeared in the English language or, for that matter, in Spanish either. The historical survey in Foreman's book, so commonly cited, is the merest hodge-podge of information and misinformation. Professor Edward G. Bourne's introduction to the important series of translations of Philippine documents now appearing in fifty-five volumes[2] has so far been almost the only attempt in the spirit of the modern historian to survey the main movements of Philippine history. Because of the great lack of competent, original material upon this subject, to which the student or inquirer may be cited, mention should be made of a little Philippine history which appeared last year, written by Doctor Barrows, now head of the Philippine schools, as a textbook for the insular schools.[3] Until the needs of American readers in this respect are better supplied, this book, designed primarily for Filipino pupils, may well be recommended as a condensed survey of the subject by a competent scholar.

The student of Philippine politics will find a great deal of significance and value in the ethnological studies which have been issued during the past two years by the Philippine Ethnological Survey, from the govern-

[1] Both published in Bulletin of the Bureau of Labor No. 58 (May, 1905), Government Printing Office, Washington, the monograph on the Philippines covering 185 pages and that on Java 49 pages.

[2] The Philippine Islands, 1493–1898, Cleveland, The A. H. Clark Co.

[3] History of the Philippines. New York, The American Book Company, 1905.

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ment press at Manila. Volume i of these publications, *The Bontoc Igorot*, by Dr. Albert Ernest Jenks, for a time chief of the Philippine Ethnological Survey, may be described (despite the amount of material hitherto published on Philippine ethnology, largely by men who had never been in the islands) as the first really scientific and thoroughgoing ethnological study made in the Philippine Islands. It is in the light of such studies as this that we must reconstruct the primitive condition of the Christianized Filipinos who have been under Spanish influence. That Doctor Jenks came away from his sojourn among the Igorot of Bontoc with a relatively high opinion of their character and capacities, is certainly of interest.

Next in value among these publications must be placed the *Studies in Moro History, Law and Religion*, by Najeeb M. Saleeby, forming part i of volume iv. Mr. Saleeby, an American citizen of Arab descent, is superintendent of schools in the Moro province, and he has obtained from prominent Moro rulers and religious law-givers personal information, manuscript copies of genealogies, codes of law, religious tales, *etc.*, which, though he has here given us but a fragment of his investigations, already make available to us more real knowledge of Moro history, customs and beliefs, than was brought to light perhaps during the entire period of Spanish rule. The perusal of these codes of law invites comment upon the hasty remark of General Leonard Wood, after less than a year in the Moro country, that the Moros "have no written laws worthy the name," and that their laws and customs need hardly be taken into account in preparing a special codification for them. It has always been asserted by the American army men in the Moro country that civil government was unsuitable in this region; and one of the disadvantages of full civil government on which they laid much stress was the prospective frequent change of governors. This disadvantage, however, has attended the quasi-military system still in vogue. Among the officers on the island of Joló, where the recent serious trouble occurred, there is none who can talk directly to the Moros, nor have the officers the assistance of a single American interpreter. The result of such conditions has been shown in the constant change of ideas and policy—if we can be said to have developed any real policy as yet—on the part of the chief officers in command in the Moro regions. These first published studies of Doctor Saleeby show plainly the sort of work which alone can lead us to an accurate understanding of the Moros, or gain us any position in their territory other than that held by mere force.

Volume ii of these publications has three parts: *The Negritos of*

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Zambales, by William Allan Reed; *The Nabaloi Dialect*, by Otto Scheerer, a German, who lived for some years among these Igorot of Benguet province; and brief papers on *The Bataks of Palawan*, by Edward Y. Miller (governor there) and by former Spanish residents. Volume iii comprises early accounts (mostly of the eighteenth century) of the Igorot, by Augustinian missionaries. These accounts were collected and loaned to the government for publication by Father Angel Pérez of that order, and they are published under the title: *Augustinian Relations of the Races of Northern Luzon*. The Spanish edition, having the original texts, is of course preferable for consultation. The publication of accounts of trips and investigations by American officials in remote and mostly unexplored regions of the mountains of Northern Luzon has inspired the friars at Manila to uncover some hitherto unpublished material in their convents at Manila—a sign, incidentally, that recent rancor is being forgotten. All the above publications are splendidly illustrated with half-tones, and Dr. Saleeby's studies with facsimile reproductions of rare Moro manuscripts.

JAMES A. LEROY.

DURANGO, MEXICO.

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REVIEWS

De Monroe à Roosevelt, 1823-1905. Par le Marquis de BARRAL-MONTFERRAT. Paris, Plon-Nourrit et Cie, 1905.—xv, 356 pp.

Essais d' Histoire Diplomatique Américaine. Par ACHILLE VIALLATE. Paris, E. Guilmoto, 1905.—iii, 306 pp.

As an historical work, the first of these books would be worth scarcely more than a passing notice, were it not for the fact that it appeared originally in the *Revue d' Histoire Diplomatique*, which is the official organ of the Société d ' Histoire Diplomatique, of which society the author is the secretary. The preface, too, is written by the Comte d' Haussonville, a man of some note in literary circles in France, a member of the Academy and the representative in that country of the banished house of Orleans. The thesis of the book is republican territorial expansion, and, as might perhaps be expected, the subject is treated from the alarmist's point of view. Let the distinguished prefacer speak first.

The Comte d' Haussonville recalls a journey which he made to the United States twenty-four years ago, as a representative at the Yorktown centennial of an ancestor who participated in the Revolution. He says that he has a vivid recollection of a "conversation had with a certain M. Blaine, forgotten to-day." Speaking of the construction and neutralization of the Isthmian Canal, Mr. Blaine is represented as saying, "We shall never consent to Europe concerning itself in guaranteeing its neutrality. You may pierce the isthmus if you like, but we must hold it." Disquieting as this announcement was, the writer's apprehensions did not lead him to foresee the day when "the United States would contest with us the right of guaranteeing with them the neutrality of the Panama Canal, and perhaps concern themselves in guaranteeing that of Morocco." How "this young power" has come to mix little by little in the affairs of the old world, he says, M. de Barral's book shows. Samoa, Hawaii, Cuba, the Philippines, the Russian Jewish question, intervention in China, Syria and Morocco were but stepping-stones to the higher walks of world politics. The personification of this policy is Mr. Roosevelt, leader of a "party ready to seize every occasion, indeed every pretext, to mix in the politics of the old

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world." And there is still another source of apprehension for the Comte d' Haussonville—the "yellow peril." This thought leads him to inquire: "What will become of Europe pressed, as between the jaws of a vice, in the west by the United States, in the east by Japan?"

The quotations from the preface indicate the spirit and purpose of the book. It discusses the acquisition of Texas, New Mexico and California (which the author styles the "phase of encroachment"), the Cuban question (styled the "aggressive phase") and the acquisition of Samoa, Hawaii and the Philippines ("the world phase"). As would be expected from a book by a Frenchman, much space is given to the interoceanic canal. The recent Venezuelan imbroglio with the allied European powers, the Santo Domingo affair and the expedition to China close the historical narrative. The last chapter is chiefly made up of extracts from the speeches and messages of President Roosevelt, quoted in order to show that Mr. Roosevelt is "completely the echo of the American mentality," which, as the earlier pages have declared, is characterized by a spirit of aggression most dangerous to the rest of the world.

If the preface is tinged with a somewhat deeper shade of melancholy than the body of the book, it is no doubt due to the fact that the prefacer did not, as he says of M. de Barral, write with the "documents in hand." But a casual examination of M. de Barral's work will show that the "documents" must frequently have slipped out of hand, or that they were often made to carry a meaning which does not belong to them. Many of the errors and misstatements, which are thickly sprinkled through the pages, might have been avoided if the writer had taken the trouble to read carefully a standard history of the United States and to refer to some of the usual authorities. Thus, filibustering expeditions are frequently mentioned for the purpose of showing the supposed character of American expansion, and McGregor, of Amelia Island fame, is made (p. 30) to lead an expedition into Texas in 1816. Possibly M. de Barral confuses him with General Lallemand, who was engaged in such an enterprise about that date; but Lallemand was not an American. It is asserted (p. 17) that the United States enjoyed a "perfect tranquility" during the Napoleonic wars, from which it would seem that the Orders in Council and the Berlin Decrees are also "forgotten today." In speaking (p. 35) of President Polk's message on Yucatan of April 27, 1848, the writer apparently confuses it with Mr. Polk's earlier declaration in the annual message of 1845, which had nothing to do with Yucatan; and he says that when the treaty of Guadalupe Hidalgo was before the Senate, the president sought to have a

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clause added to it, giving the United States the right to occupy Yucatan. But the treaty received the sanction of the Senate seven weeks prior to the date of the Yucatan message of April 29, and a reference to the executive proceedings of the Senate will show that no such a proposition was ever suggested or considered. The real significance of Polk's declaration as an enlargement of the scope of the Monroe Doctrine appears to escape M. de Barral entirely. Comparing (p. 86) the North and the South at the outbreak of the Civil war, he states that while the North was "of the Protestant religion," the South "belonged in part to the Catholic religion and the Latin race"—a comparison which is obviously misleading. Referring (p. 92) to the treaty of October 31, 1861, between Great Britain, France and Spain, relating to the joint expedition to Mexico, the writer charges the allies with a secret intention to place Maximilian on the throne of Mexico, in spite of the declaration in the treaty inconsistent with that intention. There is nothing in the published correspondence to show that the British government, at least, entertained any such sinister purpose. On the contrary, the instructions to her diplomatic representatives were to hold strictly to the terms of the joint treaty, and the reply of Earl Russell to the French ambassador, when he announced the intention of the emperor strongly to reinforce the French contingent in Mexico, was that he "very much regretted the step."

Perhaps the most absurd charge which the author brings against American expansion is contained in the account of the recent difficulty between Brazil and Bolivia over the Acre territory. The government of Bolivia granted to an Anglo-American syndicate a concession in the disputed territory conferring rights similar to those exercised by the chartered companies familiar in English colonial history. The writer adopts and puts forward as solemn truth a rumor, current in South America at the time, that the concession only concealed the designs of the American government to "plant itself in South America." Indeed one of the purposes of the book appears to be to strengthen in Latin America the idea that these countries are in danger of ultimate absorption by the United States.

It is a relief to turn from the work of a pamphleteer to grave historical writing. Professor Viallate, the author of the *Essais d' Histoire Diplomatique Américaine*, is a member of the faculty of the École des Sciences Politiques, where he gives a course of lectures on the history of the United States. He has the advantage, therefore, of writing with a general knowledge of his subject. He also shows an evident desire to state the facts impartially and to comment but sparingly on the motives

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and policies of succeeding administrations. This characteristic is apparent in his first essay, "The Territorial Development of the United States." Within the space of about fifty pages he reviews rapidly the history of our territorial expansion, beginning with the treaty of peace with Great Britain in 1783 and ending with that with Spain in 1898. It is doubtful if there exists anywhere in English, within the same compass, a clearer or more comprehensive statement of this phase of our history. In fact it is a model of its kind.

The second essay, "The United States and the Interoceanic Canal" is the longest of the three contained in the volume. In a space of 150 pages, Professor Viallate reviews the diplomatic history of the question, using as a basis certain diplomatic correspondence of the United States, the messages and papers of the presidents and certain secondary authorities such as Keasbey's *Nicaragua Canal and the Monroe Doctrine* and Latane's *Diplomatic Relations of the United States and Spanish America*. It contains little that is new to American students of the question, but it has the advantage of bringing the subject down as late as the canal treaty with Panama in 1904. Moreover, the very judicial spirit in which the subject is examined should not fail to give European readers a juster view of the whole question. The year 1870 is indicated correctly as the date which marks the transition from the policy of neutralization (adopted for the purpose of blocking European ambitions in Central America) to the modern policy of control or ownership of the canal by the United States alone.

The story of the treatment accorded to the Hay-Herran canal treaty at the hands of the Colombian Congress and of the subsequent revolution on the Isthmus, is drawn almost exclusively from the published diplomatic correspondence and messages of the president. It is therefore based on the most trustworthy sources now at hand, and it is impartially written.

The final essay, "The Spanish-American War and the Annexation of the Philippines," follows closely the published diplomatic correspondence of the United States and Spain. The result is probably as satisfactory as the existing sources of information at present permit. Thinking possibly that the subject of the enforcement of the neutrality laws of the United States, during the last Cuban insurrection, involves primarily the examination of a legal rather than a diplomatic question, the author barely alludes to it.

The chapter relating to the peace negotiations at Paris in 1898 is probably the least satisfactory of any part of the essay. It appears to be based almost exclusively on the telegraphic correspondence between the

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American commissioners and the State Department during the sessions of the conference, and practically not at all on the official protocols of the conference and similar documents.

The methods of Professor Viallate are those which are familiar in the standard French writers on diplomatic history. It is, in the main, *précis*-writing of the best class, summarizing successively diplomatic correspondence, presidential messages and other state papers.

JAMES F. BARNETT.

GRAND RAPIDS, MICH.

Philippine Life in Town and Country. By JAMES A. LE ROY. New York, G. P. Putnam's Sons, 1905.—x, 311 pp.

The title of this book hardly does justice to the contents. It understates the scope of a work which, though modest in intent and volume, is much more than a surface sketch of facts obvious to the eye in our eastern dependency or even ascertainable by an observer more deeply versed in the external social phenomena of the Philippines. The book deals with the ethnic and historical background of present conditions as well as with those conditions themselves, with a clearer insight into the philosophical relation of the past to the present and a juster appreciation of the respective values and functions of the three great factors in the Philippine problem—native society, Spanish tradition and American ideals—than any other work that I have seen upon the subject. The author has written in a spirit of academic honesty, with a delicate sense of truth exceeding the merely reportorial honesty which pervades much of our Philippine literature. There has been no disposition either to overlook obvious duty in recording disagreeable facts or to scrape up intimacies with untoward and not fairly representative incidents. In a word, the book is written with candor and good faith, and though it contains statements and opinions in matters of detail that may still be subject to controversy, it gives the truest general view of Philippine conditions, and probably the one most easily understood by an average reader, that has yet been presented to Americans.

There is at the outset a frank recognition of the early achievements of the Spanish colonial policy—a policy inspired by a higher ideal than that of the modern materialistic school of colonial theorists—but there is also a clear statement of the limitations which made that policy unfitted for the Philippines of today. In some spheres of influence Spain accomplished more in the Orient than has either England or Holland.

The fact that the Filipinos should have progressed under Spanish rule to the point where they should formulate demands so unique in the Orient

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[for political liberty, free press, free education, and representative institutions] is in itself the highest praise for Spain.

When shall we hear of those things from the Javanese, or from the Malays of the Straits? Racial origins and blends are discussed in their important practical aspect, as influencing the sentiment of common nationality among the diverse Filipino tribes, and a liberal interpretation is given to data evidencing this sentiment. The descriptive chapter upon a typical Filipino community is an accurate picture of concrete conditions in the Christian provinces. The chapter upon *caciquism*—or native political boss control—touches upon the fundamental civic problem of the Philippines, the tendency to establish petty absolutism under democratic forms of government wherever the restraining power of central authority is withdrawn. From this topic there is a logical transition to the chapter upon public schools, as a constructive remedial agency necessarily accompanying the political institutions which we, in harmony with the best elements of the Filipino nation, desire to establish in the archipelago. The religious question is discussed, under both its moral and its local political aspect, with a frankness not likely to give offense to any part of the American people. Economic conditions and prospects are considered in a later chapter, and the conclusion deals with the position of the Filipino in the Orient.

The distribution of topics has occasioned some repetitions, where the author has evidently considered it necessary to revert to similar thoughts or facts to illustrate different points as they came up, and the connection between successive paragraphs must sometimes be found by reference to the ultimate implications of the argument rather than to the immediate context. A feature that adds life and interest to the book is the frequency with which quotations from Filipino authors and minor writers are used to illustrate conditions described or to enforce statements of native opinions and ideals.

We should know more about the Philippines if less had been published about them during the last eight years. Many writers have quite overlooked the fact that the islands were not created by Admiral Dewey. The Philippines have a complex and ancient history, like the rest of the world. As a topic of partisan debate, there has been much unconscious and some conscious perversion of truth regarding them ever since the American occupation. The same old arguments that formed the basis of controversial literature with regard to the negro in the closing days of African slavery, have been refurbished by colonial experts to support a system of political and industrial absolutism by the white race in the tropics. The irritation with which

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some writers regard the American attempt to develop political autonomy and a system of really free labor in the Philippines, is due to the fact that it involves a direct challenge and denial—at least a tentative denial—of the truth of justification by color as a colonial dogma. I am inclined to think that Mr. Le Roy, who spent two or three years in the Philippines with an open mind toward all theories, is a more faithful and competent narrator of conditions in that country than a man with broader experience in tropical life, but less experience with the really unique conditions in the dependency which we received from Spain, less sympathetic appreciation of our national ideals with regard to that country, and a preconceived theory as to the inherent incompetence of the tropical races. The best colonial experts fall into grave errors. One recently supported an argument in favor of indentured labor upon figures of comparative production in different colonies, in which the value of sugar in Hawaii, for instance, with a protection of between thirty and forty dollars a ton, was balanced against similar values in the Philippines, with no protected market open to them. I am not aware that any of these fundamental errors occurs in Mr. Le Roy's book. A minor statement might occasionally be qualified. In contrasting the social position of the Filipino woman with the typical woman of the Orient, whom we are to conceive as a veiled and shrouded recluse, and ascribing this superior status to Christian conceptions introduced by the friars, it should be remembered that among the masses everywhere in the East women hold a position of influence—especially of economic influence—in the family. Javanese women have about all the freedom they care to use, and in parts of Sumatra matriarchy exists. The Burmese woman is the business head of the house, as is often the Chinese woman of lower rank. But these facts do not affect the truth of the general statement that Christianity made prevalent among Filipinos of higher rank social customs almost identical with those of Spain, and familiarized the ruling section of the nation with European ideals of womanhood and habits of thought towards the family relation. More stress might have been given to the economic bases of social progress, which are very important and not to be overlooked as a corollary to universal education. White immigration and the contingency of American capitalistic colonization in the Philippines are topics that have not been considered. But their chief importance as yet is prospective, and so fairly outside of the scope of the book—which is to present life in the Philippines as a contemporary social movement, to be studied in its deeper manifestations as well as under its purely external aspects.

VICTOR S. CLARK.

WASHINGTON, D. C.

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Some Ethical Gains through Legislation. By FLORENCE KELLEY. New York, The Macmillan Company, 1905.—x, 341 pp.

Florence Kelley of the Illinois bar is rather less known to the public than the Mrs. Kelley of Hull House, of the Nurses Settlement, of the Illinois Bureau of Factory Inspection and of the Consumers' League. But it is in the first-named capacity that she has put into this admirable little volume the boiled-down results of her experiences in the other four. The book might have been called "A Summary of Gains Still to be Made," since it would be impossible for Mrs. Kelley, even if she wished, to write about the protection of childhood, the right to leisure, and rights of purchasers, without giving constant expression to her sense of the immense distance which society has yet to travel. Yet we must do the author the justice to admit that, radical reformer though she is, and impatient though she remains with the stupidity and callousness which prevent further immediate advances, she does in this volume record many substantial gains, and that the standpoint throughout is that of one determined to make the most of such progress as can be found. To be sure, this is not exactly to class even the Mrs. Kelley of this volume with the Giffens, Lubbocks and Carnegies whose statistics and generalizations take the form of one grand pæan of triumph because of what democracy and industrialism have already done for the working classes. The demonstration that there really are gains is here based upon much more severe tests as to what constitutes a gain, and much clearer appreciation of the reservations with which any statement of them is to be made.

It seems a little startling that Mrs. Kelley feels constrained to begin her discussion of the right to childhood with such elementary premises as that if the children perish in infancy they are obviously lost to the Republic as citizens; if, surviving infancy, they are permitted to deteriorate into criminals, they are bad citizens; if they are left illiterate, if they are overworked in body and mind, the Republic suffers the penalty. And yet among the recent gains of our American communities it becomes necessary to point to remedial legislation, prosecutions and convictions having for their sole object to stop the exposure of infants at night, in cold weather, in the arms of begging women. The legislation of the last few years again, intended to secure improved housing for the people of New York City, although in Mrs. Kelley's opinion it is still wholly inadequate, constitutes one of the fundamental ethical gains of our generation. And the reason which the author gives for this judgment is that it marks the beginning of that social protection of infant

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life without which the right to childhood is illusory, and for want of which thousands of potential citizens in the great cities within the last half century have been lost to the Republic.

Thus simply and fundamentally does the inquiry begin, and it proceeds relentlessly through the employment of young children in tenement houses, in domestic work, in street occupations, including the telegram and messenger service, in retail trade and in manufacture, with special paragraphs on the glass bottle industry. The legislative and administrative advances, the growth of public sentiment, and the recent beginnings of coöperation between trade unions and philanthropists are all recorded. And yet, as the story is told, the background of outrageous injustice, evils not yet remedied, children still unprotected, seems to stand out more and more darkly, and the gains actually made somehow seem pitifully small. The author gives us the impression of having intended to produce the contrary effect, of having exercised much restraint in her use of damaging evidence, and of having seized eagerly upon every humane decision, every enlightened statute, every disinterested declaration by labor union or public spirited philanthropist. And yet the constantly recurring note is in such phrases as "the inadequacy of the best measures yet enacted," "only initial steps have been taken," "unfortunately there is as yet no appropriation . . . to enforce the law," "so far as they are enforced."

The chapters dealing with the right to leisure give just ground for greater confidence in the possibility of ethical gains through legislation; and perhaps the most important part of the volume is that which deals with the judicial interpretation of statutes regulating the hours of work of public servants, of statutes restricting the hours of labor of women and children, and of statutes, which are now for the first time applied by the courts, restricting in certain occupations, in the interest of public health, the hours of labor of adult male employees working for corporations or individual employers.

In an appendix Mrs. Kelley has published the text of four of the more important of these decisions, including the decision of the Supreme Court in the case of Holden *v.* Hardy, February 28, 1898, upholding the Utah statute which forbids the employment of working men for more than eight hours per day in certain occupations, as being within the police power of the state, and not an unconstitutional interference with the right of private contract or a denial of due process of law or of the equal protection of the laws. Of this decision Mrs. Kelley says that it

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did but open the way, by sustaining a statute affecting a few hundred men in a state not highly developed industrially and by affording a precedent, national in its scope, whereby may be done over again successfully work which, in several states, had once been done in vain. Yet it assures ultimate success to the long striving for the statutory enactment of the right to leisure.

Of the argument in favor of the right of women to the ballot, it is only necessary to say that it justifies its incorporation in this volume, which is to say that it differs materially from the stock arguments of the advocates of equal suffrage. The usefulness of women on public boards and commissions is easily shown. Indeed it might very properly have been assumed. It is further shown, however, that in states in which women do not vote they are not usually appointed to salaried positions of this kind, even where the duties required are such as women are preëminently fitted for, and where the number of available women is very large. In educational work especially and in the protection of children there are tasks to which women are naturally adapted and from which they are practically debarred by their status as non-voters. Except in the assertion of the right of women to share in the enactment of marriage and divorce laws, the chapter rests the case for the recognition of the right of women to the ballot on the positive advantages which would demonstrably follow. In the case of marriage and divorce laws, it is asserted that

> since the points of view from which the subject is approached by men and women are fundamentally different, that law alone can be an essentially just and righteous one which is so framed as to satisfy the needs of both men and women and to rest upon their agreement.

In the following paragraph, however, an attempt is made to show that the existing chaos in legislation affecting marriage and divorce in the different states may be "due to the enforced silence in matters affecting legislation of half the people affected by them." The argument is thus brought back into harmony with the general trend of the book, which emphasizes everywhere social gains rather than abstract individual rights.

The closing chapters deal with the rights of purchasers, showing that they are social rights, but that as a preliminary to their effective enforcement it is essential that the courts be enlightened and instructed concerning conditions as they exist. These chapters discuss the trade union label and the movement for enlightening purchasers which is represented by consumers' leagues.

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The volume as a whole gives us new hope that the intolerable conditions which we have suffered to survive or to develop will not forever remain; that there is a social conscience which is slowly awakening and which has power to influence electorates, legislatures and courts; that, while we have as yet felt its power only here and there, we have every reason to expect these exceptional and sporadic gains to multiply and extend until we are ready to deal through legislation and the courts with all those problems which lie by their nature beyond the possible scope of individual effort and voluntary coöperation.

EDWARD T. DEVINE.

Corporations et Syndicats. By GUSTAVE FAGNIEZ. Paris, Victor Lecoffre, 1905.—viii, 198 pp..

Monopolies, Trusts and Kartells. By FRANCIS W. HIRST. London, Methuen and Co., 1905.—viii, 179 pp.

Les Syndicats Industriels en Belgique. By GEORGES DE LEENER. Brussels, Misch et Thron, 1904 (second edition).—xxxii, 348 pp.

In these days everyone must write on industrial combination; hence a large number of surprisingly bad books. Two of the above belong to that number.

Fagniez's *Corporations et Syndicats* deals with employers' associations and trade unions in France. The object of the book, so far as it has any, seems to be to show that the development of these organizations has been similar to that of the mediæval gilds and corporations. After giving a superficial sketch of gild history, the author presents a few facts concerning organizations of employers, and devotes the second half of his book to trade unions and their position under the French law. The point of view is thoroughly conventional; there are the usual complaints—restriction of apprentices, limitation of output and the like offenses; there is the usual commendation of trade schools, sick and death benefits and other harmless diversions of "good" unions; but clear description and analysis of significant phenomena there is none. The book throws no light on anything and reaches no useful conclusions. Why it should have been written it is hard to see.

Hirst's *Monopolies, Trusts and Kartells* is a reactionary book, written largely from the lawyer's standpoint, to show the relative unimportance of monopoly. Monopoly is not defined, and the word is used in a shifting and uncertain sense. Natural monopolies seem to be of small

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importance, anthracite coal to the contrary notwithstanding. It is not altogether easy to be sure of the author's position, but if I understand him rightly, the sovereign remedy for the ills of industrial combination is free trade, combined with a system of national waterways to curb the railroads. Why the railroads need curbing is not clear, as they are not monopolies, but among other things are subject to competition of "*potential* lines." This surpasses the ingenuity of even the best railroad lawyers in the Senate; surely it is potential competition run mad.

Free trade, however, is Mr. Hirst's real specific. He has a veritable obsession of free trade, and it leads him to some strange conclusions. It may startle American iron and steel makers to learn that "the industry on its present basis is dependent on the tariff" (p. 133). We had not blamed the wicked tariff with anything worse than the exorbitant profits often made by the steel men. Scarcely less surprising is the information, in another connection, that the success of the Standard Oil Company "is exactly parallel to that of the Anthracite Coal Combination" (p. 130). Chewing gum and Royal baking powder, as products of non-protected trusts, furnish our free-trade critic an insoluble riddle, though he is undaunted by the International Thread Company. Possibly further acquaintance with a dozen or so other non-protected trusts might shake his confidence in Mr. Havemeyer as the ultimate authority on the genesis of trusts. But enough of such criticism.

Mr. Hirst's book is evidently the product of considerable study, but its analysis is not clear and its discernment of actual tendencies is *nil*. Probably few careful students doubt the persistence of competition, but who cannot see that the régime of many small producers is yielding to a condition in which a few great ones alternately compete fiercely and then combine for mutual advantage?

De Leener's *Les Syndicats Industriels en Belgique* is a work wholly different in method and point of view. It first deals with the nature of industrial progress and the place of combination in such progress. The monopoly régime of the gilds yielded to the free competition of the industrial revolution, which brought productive anarchy in its train. This in turn is yielding to a system of combined production more or less monopolistic. The author recognizes the evident drift toward combination, but does not go to the extreme of maintaining that all industry will straightway organize itself in monopolies.

After propounding his general theory, M. de Leener takes up the Belgian syndicates in detail, classifying them as *ententes*, which are tacit and occasional agreements; pools, or permanent syndicates with-

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out formal conventions; cartels, or syndicates based on written contracts; and trusts, in which the combined concerns are actually merged in one. The fourth class is scarcely represented in Belgium. Many examples of the others are given, illustrating the origin, the relations, the advantages and the disadvantages of the various forms of combination, and showing how one form passes over into another with a constant tendency to closer union. Instead of dividing the field of industry into two sharply contrasted parts, the competitive and the monopolistic, the author shows the various degrees by which competition shades off into monopoly. This view has the advantage of corresponding with facts. Among the most interesting combinations described are those in the fuel, steel, cotton and match industries. Appendices give a considerable number of illustrative documents. Among the reasons given for the formation of the Belgian combines, American competition is given a prominent place, and the cheapness of American production is attributed chiefly to our superior organization.

M. de Leener's conclusions are highly favorable to the syndicates. Affording the only means of escape from the anarchy of competitive production, they are advantageous alike to the producer, to his employees and to the public. Their stability is shown by the manner in which they came through the Belgian industrial crisis of 1901. That there may be dangers in the movement the author grants, but he holds the law adequate to meet them. A more careful study of American conditions might lead to a less confident generalization as to the "momentariness" of the abuses with which industrial syndicates are charged.

As a whole this is a useful book. The method used involves much wearisome repetition, and the facts do not always warrant all the inferences. Notably, the treatment of prices is inadequate. In covering so broad a field, it is inevitable that little more can be given than a somewhat superficial description. While such studies have their value, the most useful work in this field to-day consists in thorough and detailed studies of particular industries. From such works we may derive the information on which to base valid general judgments.

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The Principles of Money and Banking. By CHARLES A. CONANT. New York, Harper and Brothers, 1905.—Two volumes: xv, 437 pp.; viii, 488 pp.

There has not appeared heretofore, at least in the English language, a *Principles of Money and Banking* with quite so wide a scope as the new two-volume work just published by Mr. Conant. The first volume contains three books on money, the second, three on banking, while the whole consists of forty-five chapters. The first book, styled "The Evolution of Modern Money," adds little of importance to the existing literature of the subject, unless certain new detail of purely antiquarian interest should be regarded as important. There is in this book, however, one striking peculiarity of analysis which calls for comment. Ordinarily money is said to have four functions, if that of "store of value" is included, but Mr. Conant recognizes five "essential" functions (vol. 1, p. 20). The extra category arises from the author's separating a function of "standard of value" from that of "common denominator of value" on the one hand and from "standard of deferred payments" on the other. Walker raised the question (now properly regarded as merely a question of words) whether the second function performed by money should be referred to as that of "measure" (standard) of value or should rather be designated as that of "common denominator" of value. Mr. Conant, however, holds that there is, first, a function of common denominator of value and, secondly, an additional function of standard of value, which is yet distinct from that of standard of deferred payments. From the reviewer's standpoint, this innovation serves as an example of the uncritical thinking which is common in the work wherever it deals with questions of analysis or theory, as distinguished from pure description of monetary institutions and practices.

Judged from any viewpoint, the fundamental weakness of this work is its extreme and loose eclecticism. This defect shows most prominently in book ii, upon the "Principles of the Value of Money." Not uncommonly almost whole chapters are composed of a series of quotations connected by a text which does not contain a great deal more than the author's explanation of the very points made in the quotations themselves. Thus on page 113 (vol. 1), Mr. Bolles is quoted in support of the affirmation that gold coin will lose none of its value when melted into bullion. It is difficult to see why any particular writer should be given credit for such a well-known fact. Mr. Conant next points out that the bullion could not be spent in ordinary trade without

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first being coined again. This obvious truth is then reinforced by a citation from the far removed and wordy Karl Marx:

> That money takes the shape of coin, springs from its function as the circulating medium. The weight of gold represented in imagination by the prices or money-names of commodities must confront those commodities, within the circulation, in the shape of coins or pieces of gold of a given denomination.

Thus we learn on authority that to spend your gold over the tradesman's counter you must have it coined.

Moreover, examples of positively inappropriate, as distinguished from merely wasteful, quotation are not lacking. Thus on page 167 (vol. i), in support of the Ricardian theory of specie distribution—which Mr. Conant accepts as correct, subject to two qualifications which advocates of this theory will readily grant—the author cites from Professor Laughlin's *Principles of Money* a passage which was designed by its author to be a direct refutation of the Ricardian theory, and which can be regarded in no other light.

Numerous and important misapplications of the "principle of marginal utility" may be found in the work under review. Here again the fault would seem to lie with the author's uncritical eclecticism. It is impossible to say exactly what Mr. Conant means by the "principle of marginal utility," although in his preface (page vi) he explains that he regards his application of it to monetary problems as one of the two distinctive features of his work. The first application comes in the preface itself (page vi), where it is asserted that the "evolution" of money from cattle to perfected gold coin "has followed the principle of marginal utility," which, if it means anything, is only an extremely obscure way of saying that gold is the most useful form of money in a rich and developed society. Other instances of peculiar misuse of the phrase may be mentioned. Thus, on page 214 (vol. ii) we are told that "it is for the banker to determine the relative marginal utilities of enterprises." Why refer to relative money-making possibilities as relative marginal utilities? And again (vol. ii, p. 389) "The law of marginal utility will . . . drive the buyer with almost unerring instinct to the seller who sells the best goods at the lowest prices." This passage is unique in that it uses the phrase "law of marginal utility" as a precise synonym for plain business common sense. In his chapter on the distribution of money, Mr. Conant announces at the outset that "the essential principle which governs the distribution of money between communities is the so-called law of marginal utility" (vol. i, p.

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245). The only meaning this can have is that the relative stocks of specie in different regions will come to an equilibrium when specie reaches in each region the same marginal utility as in every other region. If marginal utility is to govern specie distribution, this is the only way in which it could do so. It must be stated, however, that Mr. Conant does not suggest that this is actually the way in which marginal utility governs specie distribution, for in fact his chapter lacks any precise thesis regarding the manner of the action of marginal utility.

The per capita stock of gold money in France is about two-thirds larger than in England, though perhaps England does two-thirds more business per capita than France. In harmony with the quantity theory and with the received theory of specie distribution, this phenomenon is explained by reference to the fact that in England the bank check is far more generally used as a substitute for standard money than in France. Since the demand for specie is thus limited, in England, a smaller relative supply is necessary to maintain the exchange value of specie at the world level. Mr. Conant claims that this explanation is "inadequate and unsatisfactory" (vol. i, p. 256), and proceeds to make it adequate by appending the explanation that the reason why a larger supply of specie is required in France is because the marginal utility of specie must be kept down there, since the lack of the use of credit instruments tends to raise the marginal utility of specie. Here Mr. Conant has merely substituted "marginal utility" for "exchange value."

With respect to the general drift of book ii, on the value of money, it might be said that formally it is in large part built up as a criticism of the quantity theory, that is to say, of various cruder forms of that theory set up from time to time by the author. But though this supplies the author with abundance of subject-matter for discussion, the net positive result of the book—aside from the marginal utility wastage—is really such a supply-and-demand theory of the value of money as would be called the quantity theory by any present-day economist who accepts that doctrine. Every objection to the various "cruder forms" of the theory brought forward by Mr. Conant, would, I dare say, be granted by President Walker, were he alive. It is true that Mr. Conant prefers to define money in such a way as to make it necessary for him to regard an increase in bank or government notes not as an increase in the supply of money but as a cause operating to reduce the demand for money, *i. e.* standard money. But the net result is the same whether such notes are regarded as increasing the supply of money or as diminishing the demand for it. Whether the carefully safeguarded

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supply-and-demand theory which is the net positive result of Mr. Conant's reasonings ought to be called a quantity theory, is after all a question of words. It certainly is the quantity theory as understood by many contemporary economists. In the judgment of the reviewer, the verdict of time will be in favor of retaining for it the designation of "quantity theory."

In book iii, entitled "The Evolution of Monetary Systems," Mr. Conant discusses, among other things, the question of international bimetallism. Considerable sympathy is shown for the theoretical claims of bimetallists, and the author admits (vol. i, p. 356) that none of the historical experiments with bimetallism have fully tested its possibilities. Also the compensating action of the French bimetallic system upon the world's commercial ratio is conceded (vol. i, p. 340, *et passim*). The author regards bimetallism as a dead issue, and pins his faith to the "gold-exchange" standard, as the means of ridding the world of the evil of the fluctuating exchanges between gold- and silver-using countries. His description of the gold-exchange standard is an able and interesting discussion of a new currency system, in the devising of which he himself played a prominent part.

Mr. Conant's second volume, on banking, is a more satisfactory piece of work than the volume on money. One reason, perhaps, is that here the author is concerned to a greater extent with description than with theory, and with the description of financial institutions and practices of which he possesses unusually minute and thorough-going knowledge. The admirable reach and scope of this part of the work will make it very useful.

In conclusion it may be said that it was not to be expected that a work like Mr. Conant's, in a field often traversed before by others, should be composed in great part of new theory or of new description. On the other hand, merely to bring into juxtaposition a larger amount of related material than any of its predecessors does not in and of itself entitle a book to high esteem. While Mr. Conant's work possesses the virtue of great comprehensiveness, it is the opinion of the reviewer that, to be of the greatest use to the general reader and the university student alike, a book on money and banking should above all exhibit that unity and precision of theory which is the greatest lack in Mr. Conant's work.

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STANFORD UNIVERSITY.

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Systèmes Généraux d'Impôts. Par RENÉ STOURM. Deuxième édition, revisée et mise au courant. Paris, Guillaumin et Cie., 1905. —vi, 430 pp.

Although following the same general plan and proceeding from the same point of view as its predecessor of thirteen years ago, the new edition of M. Stourm's well-known work includes so many changes in details of statement and so many additions of new material as to constitute almost a new book rather than a second edition. The aim in rewriting has been to bring the work abreast of the progress in fiscal notions and in fiscal practices that has been made since 1893. As regards the latter task, the purpose has been in large degree realized. For in part ii, the most notably altered and extended portion of the work, attention has been given to the revised or newly installed taxes on income in Prussia and various other German states; to the taxes on property which now supplement the income taxes in Prussia, Holland and the Swiss cantons; to the extension of exemptions in the English income tax lists, with the increase in rates that has resulted from the expanded budget arising out of the South African war; to the introduction of progression in the inheritance tax arrangements of England; and finally, as regards France, to the increasing and, in the author's mind, regrettable reliance of the budget on the fiscal monopolies, to the thoroughgoing revision of the drink taxes, to the increase of the customs dues on food and to the recent experiences with the "impositions des valeurs ostensibles."

As regards tax theory there is nothing new. As in the first edition, aside from French works on the subject, little or no specific consideration is given to the literature of recent decades. This conscious neglect, arising perhaps from a distaste for the hypothetical analysis so prominent in the development of recent theories, manifests itself in characteristic fashion in the author's dictum that no doctrine of general applicability can be laid down with reference to income taxes, where in his view local pecularities in environing conditions are the important considerations. Indeed, in so far as he permits himself to generalize, it is largely the outcome of the good, old-fashioned conviction that taxation should be used, not as an engine of social or economic reform, but purely and simply as a means of obtaining revenue. Contemporary happenings have in his mind only confirmed the necessity of again proclaiming this principle. This principle once elevated to its proper position, the attaining of the great desideratum of justice in taxation becomes a matter of moderation and proportion in rates of taxation and of a minimum of taxation on the prime necessaries of life.

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In general, the work possesses the merits as well as the defects of the earlier edition. It is characterized by the same simplicity, clearness and vivacity of style, as well as by the same off-hand dismissal of views that do not accord with the author's own. Its exposition of French tax problems and its criticism of certain tendencies in French practice leave little to be desired. But its very merit in this respect is the measure of its shortcomings as a treatise on general systems of taxation. The general theoretical discussion and the description of foreign tax systems and experience are not only summary and incomplete in themselves, but are also significantly subordinated to the explaining and solving of French problems. This tendency comes out nowhere more clearly than in the last chapter, in which the recommended fiscal reforms all have reference strictly to French conditions and needs. This may be entirely germane to the author's main purpose, but in such case some modification of the title of the work would not be amiss.

ROSWELL C. MCCREA.

BOWDOIN COLLEGE.

Agricultural and Pastoral Prospects of South Africa. By OWEN THOMAS. London, Archibald Constable & Co., Ltd., 1904. —viii, 335 pp., map.

The Business Side of Agriculture. By A. G. L. ROGERS. London, Methuen & Co., 1904.—159 pp.

The History of Agriculture in Dane County, Wisconsin. By B. H. HIBBARD. *Bulletin of the University of Wisconsin*, no. 101, 1904.—146 pp.

Each of these three volumes is an important contribution to the literature of agricultural economics. A historical and comparative study of the agriculture of the various countries of the world is the necessary basis for any comprehensive treatment of the economic problems in agriculture; and these volumes, treating of widely separated countries where soil, climate, population and facilities for marketing the produce are very different, are especially useful in helping the student to distinguish between the rules which apply only to specific localities at a given time and the underlying principles which are true for all places and at all times.

The principal topics included in Mr. Thomas's discussion of the agricultural and pastoral prospects of South Africa are the soil, the

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climate, the characteristics of the people, the products, the markets, the organization of agriculture, including coöperation, agricultural credit and land tenure. The book will prove interesting and valuable both to the student of economic geography and to the student of agricultural economics. The author draws many interesting contrasts between England and South Africa, which emphasize the relativity of all the rules of husbandry. For example, whereas deep plowing is an indication of sound farming in England it seems to be detrimental in South Africa. The principal field crops are wheat, maize, Kaffir corn, potatoes and tobacco. Experiments are being made in the cultivation of cotton, and it is believed that the "cotton industry has an exceedingly bright future." But none of these products have made any appreciable impression as yet upon the world market and there is little chance that they will. "South Africa may be said to be a barren country. The exceptions to the rule lie in the more humid districts . . . . From the agricultural and pastoral point of view, the weather of South Africa is extremely unsatisfactory." Stock farming is the most profitable industry in most parts of the country, and the conditions for this industry are not especially attractive. The pastures are so poor that from ten to twenty acres are required per head of cattle. The climate is such that the cattle must be able to withstand great and sudden changes of temperature, which makes the development of the more valuable types very difficult.

While specially recommending South Africa as a stock-raising country (when animal disease is eradicated or at least controlled), I do not wish to imply that it is the best or even the second best stock-raising country in the world. If, however, it is selected by the immigrant for its healthy and bracing climate, and its many other advantages over other countries, then I say that (of all farming industries) stock-farming undoubtedly is the most promising.

The size of farms in South Africa may be of interest to those who are now interested in the disposition of those parts of our public domain which are fitted only for grazing purposes.

There are three kinds of farms: (a) farms under 1,000 acres; (b) farms of about 3,000 acres; (c) farms of 6,000 acres and upward. Where the veld is poor, a farm of 40,000 acres is not uncommon. But the majority of farms contain about 3,000 acres . . . Land which will carry only one beast to twenty acres, must be farmed on a large scale; for 1,000 acres are equal to no more than fifty acres in England. A farmer, (a stock-farmer especially), who only had a fifty-acre farm in England, would be a very small

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farmer, and a South African farmer who only had a 1,000-acre farm would be his equal. This is the reason, and the only reason, why the Boers are not satisfied with less than 3,000 acres. They cannot live on less.

Mr. Rogers's book on the *Business Side of Agriculture* is a study of the economic problems of the English farmer, with especial reference to the methods of marketing farm products. The first chapter deals with the farmer and his markets. The fact is especially emphasized that the English farmer is a business man, that he "seeks to make money exactly as the manufacturer does." It is necessary for the English farmers to be distinctively commercial agriculturists, because they are practically all tenant farmers and invariably pay a cash rent, and because they depend more largely upon the markets for the articles of every-day consumption than do the farmers of most other countries. These demands for money make it necessary for the farmer to center his thought and energy upon the one problem of putting upon the market those products which will best replenish his bank account. Chapters ii and iii are devoted to a discussion of the "traditional methods" of marketing the various products of the farm, including cereals, hops, fruits, vegetables, live-stock and live-stock products. Especial attention is given to the methods of marketing wheat in America and in England. The great variety of weights and measures which still remain in use in the rural districts of England and the different methods of making sales are described in considerable detail. But to the English farmer the marketing of live-stock and dairy products is more important than the marketing of grain. "Barely one-seventh of the supply of wheat consumed by the nation is grown in these islands, while more than one-half of the meat eaten at home is home-bred." There are two methods commonly used in disposing of live-stock. The first is by direct sale; the second by auction. Where the first method is used the custom is for the seller to seek his purchasers by advertising widely in the agricultural and other newspapers. The most common method of selling live-stock, however, is by auction. The auctions take place most commonly at the markets which are found in nearly every large town. The final chapter is devoted to a discussion of "some of the schemes that have been devised in recent years by persons or organizations interested in the prosperity of the agricultural classes to assist them to dispose of their produce to a better advantage."

Dr. Hibbard's monograph is an economic study of the agriculture of Dane County, Wisconsin, from the earliest settlement of the country to the present time. It traces the changes which have taken place in the

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system of farming and seeks to find the causes of these changes. The settlement of Wisconsin, the character of the immigrants, the selection of land and the precautions taken against land grabbing are interesting subjects taken up in the introduction. The discussion of the agriculture of the earlier period centers about wheat production, whereas that of the later period centers about the development of the dairy industry, the introduction of tobacco culture and the rise and the fall of the hop industry. The main object of this monograph is to outline the economic influences which made necessary the transition from the one-crop system, with wheat as the staple, to the complex farm organization of the present time, with cheese production, butter production and tobacco culture as locally specialized industries superimposed upon a basis of mixed farming. The book emphasizes the fact that the welfare of the farmer is closely dependent upon the industrial and commercial conditions in the larger world of which he is a part; that in this larger world changes are constantly taking place which affect the prices of the products which the farmer has to sell and upon which his profits depend; that, as a result of these changes, the lines of production which are at one time most profitable may, at another time and under changed conditions as to market relations, prove relatively unprofitable; and that the farmer must ever be alert if he would so adjust the organization of his farm to the demands of the market as to secure the largest profit. It is shown that the conservatism which leads the farmer to adhere to obsolete customs, when it is clearly to his interest to reorganize his farm operations, is one of the reasons why the necessary economic changes cause so much loss and suffering; but the difficulties which the farmer has to meet in readjusting himself to changed conditions are also pointed out. It often happens that the necessary reorganization is expensive and that the farmer has not the money and can not secure the credit necessary for making the change. And, again, the conditions which influence the prices of farm products are so complex that it is very difficult, if not impossible, for the farmer to distinguish between temporary and permanent changes in the prices of his produce. This proved to be especially true in the hop industry. The book impresses upon the mind of the reader that the farmer must not only be alert in the carrying out of the operations of the farm, but he must be a man well informed on the price-determining forces, and an habitual thinker on the problems of farm economy, if he is to secure from his land and labor the greatest possible profits.

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The City the Hope of Democracy. By FREDERIC C. HOWE. New York, Charles Scribner's Sons, 1905—xiii, 319 pp.

Unlike the reactionary radicals of the Kropotkin school, who regard the present tendency toward concentration of population as a transitory, pathological condition, soon to give way to an equally marked movement of population toward the fields and villages, Dr. Howe believes that urban development is in its infancy. His calculations of the probable development of the future outrun the visions of H. G. Wells and John Brisben Walker. Another century will multiply ten-fold the population of cities like New York and Chicago; it will increase in less degree, but nevertheless many fold, the population of the smaller cities. Manhatten Island will at the close of this century be a mass of sky-scrapers devoted to business purposes, while the population will find homes fifty and a hundred miles away in the surrounding country.

Prophecy by its nature eludes criticism; its acceptance or rejection depends upon individual temperament. It may nevertheless be not amiss to point out that the urban development of the last century has gone hand in hand with the extension of cultivation to virgin lands. Under the soil-robbing methods of western agriculture, a diminishing proportion of the population has been able to provide food and raw materials in sufficiency, and the superfluous agricultural population has drifted to the cities. The world has not yet exhausted its richest lands; extensive cultivation, with its immense product per unit of labor, will undoubtedly permit still further concentration. But we already see signs of a change in agricultural methods which requires a greater expenditure of labor for a given product. It is therefore open to question whether the future promises any such extraordinary concentration of population as our social prophets would lead us to expect.

In Dr. Howe's view, the modern city offers on the whole better opportunities for satisfactory existence than man has ever before enjoyed. At the same time it entails frightful costs—the slum, the jail, the uncertainty of employment, the merciless elimination of the weak. Corruption of the electorate, incompetence and venality of the public authorities, represent further costs of city life. It is Dr. Howe's chief purpose to point out how the costs may be reduced to a minimum. In order to purify municipal politics, he would have the city own and operate all enterprises which are based upon public franchises. The value of such franchises is so great that bidders for them can afford to pay enormous bribes to secure them for nothing, or for a nominal price. To control the municipal authority either directly or through the politi-

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cal organization is an essential point in the policy of public service corporations. Hence the shameful corruption of American cities—a conclusion which, unfortunately, sounds very like a commonplace. In order to improve the condition of the city's poor, Dr. Howe would have the city enter upon an extensive policy of quasi-private enterprises—municipal tenements, lodging houses, crèches, workshops and the like. More than all, he urges measures for the reduction of rents. The tribute to the landowners is, in his opinion, one of the most important causes of the destitution of the working poor. The improvement and cheapening means of transit would in some measure relieve congestion. The author's chief reliance, however, is the single tax, with the stimulus to building that it is alleged would follow from it.

It is unfortunate that Dr. Howe should have devoted so much of his energy to the defense of those parts of the system of Henry George which the progress of economic thought has rendered untenable. Thus on page 269 he argues that common justice, as between different classes of taxpayers, requires the imposition of exceptionally heavy taxes upon land. Two men, A and B, are seeking investment. A decides to invest in land, B in houses. A's land appreciates in value, B's houses depreciate. From this it seems clear to Dr. Howe that A is in a much more favorable position than B and should be taxed accordingly. Of course it is evident that if B possessed ordinary business sense, he made his investment only after calculating that the net returns from houses, after allowing for depreciation, exceeded the net returns, including "unearned increment," to be obtained through investment in land. Possibly he was mistaken; just as possibly A made a mistake in deciding to invest in land. What Dr. Howe fails to see is that the probable increase in the value of land is capitalized in its selling price. It is not possible for a landowner to obtain the ordinary cash return on his investment, plus a constant increase in capital value. Otherwise every one would invest in land. Consequently, it is idle to say that public appropriation of the unearned increment is not confiscation. It may be justifiable and also legal for the state to confiscate such a form of income. But the justification is not to be found in the specially large income from land as a form of investment.

Similarly, the idea that the single tax would stimulate building operations has long since been shown to be untenable. The author assumes that taxes other than those levied on the land will be shifted to the consumer. If that is true, as is generally admitted, the builder as such would gain nothing by remission of taxes on buildings, since such taxes are shifted to the tenant. A stimulus to building would take place

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only if the reduction of rents induced more people to live in the city, and this would defeat the purpose of the tax, so far as it is designed to relieve congestion.

In support of his thesis, Dr. Howe cites the fact that large tracts of land are withheld from use in the hope of a rise in land value. A more thorough analysis of the psychology of the real estate dealer would probably diminish the importance attached by such writers as Dr. Howe to the existence of unoccupied land. An owner of real estate does not allow it to lie vacant merely because the unearned increment represents a fair return on his investment. He would greatly prefer to secure in addition the cash rental of the land as a building site. If, however, the land is in such a position that it will be fitted for a high grade building in a few years, the landowner cannot afford to erect a low grade building. Were New York City the owner of the vacant blocks of land along Riverside Drive, it could not afford to lease them at a rental low enough to permit the erection of cheap apartment houses, even though it might be three or four years before any lessee would undertake to erect buildings of a better grade. No doubt there are landowners who hold their land vacant regardless of probable changes in the uses to which it may be put in the future. Many landowners lack capital and enterprise to improve their holdings, and in such cases building might be stimulated by forcing the land upon the market. There is, however, nothing to show that this is a common condition. *A priori* one would argue that a man who cannot afford to build on his land when it would pay to do so will find it to his advantage to sell or lease it.

Dr. Howe's acceptance of the single-tax doctrine with all its crudities is imputable, however, rather to singleness of purpose than to lack of scientific acumen. He demands that the city shall be clean and well policed, that it shall educate its children properly, provide as far as possible for the entertainment and enlightenment of the masses, give work to those who can not otherwise obtain it, reform the criminal and restore the outcast to respectable society. The city must, moreover, adorn itself with magnificent public buildings and relieve the monotony of its solid blocks of houses through a great development of parks. All this would require money—an enormous amount of it. Upon first thought the average citizen would shrink from the burden of taxation involved. The desideratum, for an author with such ambitious projects, is a tax which will fall exclusively upon a limited class of citizens—a class which is not altogether popular with the majority. Dr. Howe naturally seeks an ethical justification for such a tax, and is glad to

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accept uncritically the justification invented by Henry George. The majority of his readers, no doubt, will accept it just as readily.

The same singleness of purpose explains other scientific defects in Dr. Howe's exposition. As a rule, only those facts are considered which tend to confirm the author's views; facts pointing in another direction are ignored. For example, Dr. Howe does not even touch upon the difficulties the city would encounter in securing fair contracts for the construction of street railways and other public works, or the complications that would arise in the direct dealings of the city with organized labor. No mention is made of the lamentable failure of municipal ownership of gas-works in Philadelpia, nor is there a hint of the fact that in many American cities the management of water-works is not all that could be desired. Moreover, Dr. Howe is not at all concerned with the constitutional questions involved in his proposed reforms; he apparently thinks that all that is required is to point out a desirable end, leaving to others the task of finding the appropriate means. Except in his brief discussion of municipal trading in Great Britain, he has not been very judicious in his choice of facts; frequently those which he gives are not so telling as others easily accessible. Accordingly the book can hardly take a high place in scientific literature. It can not convince anyone not already inclined to accept its conclusions. But there are many in that position, and to these the author's evident sincerity of purpose, and even his determination to see only one side of the question, will make a strong appeal.

ALVIN S. JOHNSON.

The Aftermath of Slavery. A Study of the Condition and Environment of the American Negro. By WILLIAM A. SINCLAIR. With an introduction by THOMAS WENTWORTH HIGGINSON. Boston, Small, Maynard & Co., 1905.—xiii, 358 pp.

The quality of this book may be appreciated when it is known that the late Edward Atkinson expressed his approval of it, and that Col. T. W. Higginson wrote the introduction; while still more light is thrown upon its general character by the latter's inability to accept some of the extreme positions taken by the author. The volume has but one chapter that justifies the title—chapter viii, on the "Rise and Achievements of the Negro Race," a valuable summary. The other chapters are almost wholly made up of arguments in favor of political and social privileges for the blacks and of assertions of the extreme moral and political depravity of the Southern whites.

A summary of the main theses of the author will be of use to an

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understanding of the position of the constantly increasing class of negro agitators: (1) As to slavery, he believes that all the evils of the present "reign of terror and blood" "have their roots in the essential barbarism of the slave system" which was "as black as moral turpitude could make it." (2) The so-called "Black Codes" of 1865–1866 were the "most barbarous series of laws ever written by a civilized people." (3) There was really no such thing as Reconstruction, as it is generally understood—the Radicals treated the South with a "gracious magnanimity and generosity" and "a lasting and incalculable debt of gratitude" is due to the negroes, carpetbaggers and scalawags for the "orderly governments" and other benefits given by them. (4) "While the white vote of the South has been inimical to the great interests of the country, these have been saved by the colored vote," which "was cast strictly in accordance with good sense, the dictates of humanity, the highest welfare of the republic." . . . "The negro vote saved the country from the follies and crimes of free silver, free trade and free riot," and "it is therefore not too much to say that the glory and the power of the republic . . . may be traced to the effective use of the negro as a soldier and as a voter." (5) "Negro domination" is not and has never been possible. (6) The Southern public school system was founded upon and preserved by the negro vote. (7) The Southern whites are determined to bring about practical reënslavement and many thousand negroes have been slain in the "war against negro suffrage." (8) Negro leaders to be honored and emulated were Nash, Smalls, Pinchback, Cardoza, Elliott, Rainey and Ransier—and so on.

To the student of social problems the book is of great value, not as a repository of facts, for the facts in it are badly warped, but simply as a "human document" which illustrates the feelings and attitude of a large class of those educated negroes, living principally in the Northern and Border states, who, in numbers, probably are to Washington and Councill and their kind as 50 to 1, who oppose what is called the "Washington idea", who think that the negro's salvation must be in voting with, traveling with, going to school and the theater and dining with whites, who forget the wishes and needs of the masses of the race. These men are not those who make sacrifices for their race, who make things come to pass as do Washington and Councill, who make up the National Negro Business Men's League. As voicing the sentiments, then, of the class of influential negro radicals the book has a distinct value.

WALTER L. FLEMING.

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A History of The United States: Vol. I, *The Planting of a Nation in The New World. 1000–1660.* By EDWARD CHANNING. New York, The Macmillan Company, 1905.—ix, 560 pp.

An eight-volume "history of the United States from the discovery of America to the close of the nineteenth century" is promised, and the first volume has appeared. This is a noteworthy event in any case, of special significance when the author is one who has several times treated the subject in a summary way and has made himself recognized master in certain portions of its immense field by occupation and personal cultivation. No modest task is assumed when the author promises a largeness of view that shall see "one continuous development", which shall have five sides, "political, military, institutional, industrial and social". The omission of "constitutional" is apparently with intention, judging from the first volume. Popular the work is evidently designed and probably destined to be, bringing within the layman's reach the result of many scholars' research, selected and balanced with a high degree of judiciousness. The reader searches in vain for the distinctive unifying principle that shall justify to scholars the retelling of the old story, but he is yet grateful for the performance of the periodically necessary task of bringing the work down to date, reopening the case for a new trial upon each considerable instalment of the new evidence always turning up.

The present volume brings us down to 1660. Five chapters, or over one-fourth of the volume, describe the discovery, isolation and sixteenth-century exploration of the new world. Such a scale of treatment implies an estimate of the significance of that process for the "history of the United States" which is apparently formed in view of custom and the probable interest of the general reader, and the present bulk of first-hand historical material, rather than according to any independently conceived plan for viewing and constructing the history as a unified whole. Moreover, the author's practice of introducing picturesque incidents and amusing but not especially pertinent quotations from the sources, while it enlivens the narrative, does so at the expense sometimes of due proportion, since space is thereby taken from the less interesting but more significant origins of institutions. An important exception is the treatment of the English origin of the town system (pages 421–426), one of the subjects on which Professor Channing speaks with authority.

After the period of discovery European countries other than England are ignored, and a chapter entitled "The Genesis of the United States"

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is devoted to an excellent description of the conditions about 1600 which led to England's becoming a colonizing power, to the granting by James I of the charter of 1606, and to the experiments at the James and Kennebec Rivers. 113 pages are devoted to the planting and early history of the Virginia and Maryland colonies, 145 to New England and 47 to New Netherlands. The sixth decade of the century is given a general summary, and the volume concludes with a concise description of the social composition and institutions of the colonies in 1660, accompanied by a valuable colored map, which indicates the extent and location of the population and the diverse elements of which it was composed.

Note may be taken in a summary fashion of the author's conclusions on a few matters of controversy. Captain John Smith is curtly dismissed as "utterly unreliable" (p. 174). The London Company was "turned over" by Smythe to Sandys, and no hint is given of a significant difference between them and their policies (p. 189). There is nothing in the supposed political differences in the company—court party *versus* country party (p. 237). Argal's cause is espoused at the expense of Sandys, whose "unfitness" is "clear" (p. 193). The destruction of the London Company in 1624 is regarded as "beneficial to all concerned" (p. 225). The author holds that seventeenth century Puritanism was "largely social in its character," and that Gardiner so "studiously avoids social and economic factors that some of his readers find it difficult to discover why there should have been any Puritan movement at all" (p. 292). Winthrop "had no connection with the formation of the Massachusetts Bay Company, unless reliance can be placed on his statement that 'with great difficulty we got . . . abscinded' certain requirements in the form of the Massachusetts charter" (p. 325). The requirement of the residence of the Massachusetts Bay Company in England was omitted from the charter "through inadvertence" (p. 346). Charles I, Buckingham and Laud were all "sincere" men, but the career of the latter is "a striking example of the ill effects which are sometimes produced by intrusting the management of affairs to a 'scholar in politics'" (p. 288). For Laud, Cromwell and Winthrop toleration was a thing having "nothing to do with the problems which they were seeking to settle" (p. 323). Mrs. Hutchinson and Roger Williams are given spirited characterizations, but as episodes of Massachusetts, not Rhode Island, history; for the development of New England is treated only in its main currents. That very interesting eddy, the New England Council, though it caused much concern at various times to the New England leaders, is practi-

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cally ignored. One and one-half pages are given to the Council, and less than one page to the little non-Puritan plantations at the mouths of the Piscataqua and the Saco.

As is perhaps inevitable in a work of so large proportions, Professor Channing appears to have built his structure on a foundation laid almost entirely by other scholars. The foot-notes and bibliographical paragraphs at the chapter-ends reveal his familiarity with an enormous amount of historical literature, general and special, but the use of the sources seems to have been such as would be dictated by his writing to the general reader, *i. e.* by way of corroboration and illustration, rather than to the scholar, by way of direct appeal for what the sources contain. He distinctly disclaims the intention of making a systematic bibliography, preferring to be a "reader's guide." This service is admirably performed. The notes make discriminating comment on practically all the available literature, and serve as a sufficient guide to one desiring to read on special topics around and beyond the author. Furthermore, the numerous citations of records and printed archives make it feasible to check him up on details. Considering this, it would perhaps be ungrateful to look for more and to regret that there is no indication here of exploitation of the vast stores of unpublished material in the various state and local record depositories in America and England. Is it asking too much of the author that, when he treats the later seventeenth century and that *terra incognita*, the early eighteenth century, he forsake the beaten track and blaze the new path so much needed? If he would describe the English attempts in that period to systematize and conserve the commercial interests of their growing empire, and the simultaneous American struggle to win constitutions of self-government within that empire, and if he would found that description on a study of materials mostly still in manuscript—that would be an arduous task, but highly honorable, and such as to win him in increasing degree the gratitude of scholar and general reader alike.

HENRY RUSSELL SPENCER.

OHIO STATE UNIVERSITY.

England under the Tudors. By ARTHUR D. INNES. London, Methuen, New York, Putnam, 1905.—481 pp.

The History of England from the Accession of George III to the Close of Pitt's First Administration (1760–1801). By WILLIAM HUNT. London and New York, Longmans, 1905.—495 pp.

The volumes under review occupy places in rival series of coöperative

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histories of England which are now in course of publication. In one of the series it is the intention to outline the history of the nation to 1815 in six volumes, while the other will include twelve volumes and will extend nearly to the present time. It is expressly stated by the editors in each case that the volumes have been prepared in response to a demand for a treatment of the entire field of English history in works of convenient size which shall incorporate the best results of contemporary scholarship. The purpose has been to produce works which shall occupy an intermediate position between the manual or text-book and the elaborate monograph or history of a limited period. In the light of this statement the volumes should be judged. Original contributions to the history of the periods treated are not to be expected, but rather a clear presentation of the main aspects of the national life at the time, in such fashion as to show the development of the whole. An extended use of original sources is not presupposed, though both authors give ample evidence of preparation of this kind; but rather a judicious use of the results at which others have arrived.

Mr. Innes has produced a decidedly spirited and well-balanced account of the period of the Tudors. In his pages appear traces of the influence of Busch, Gairdner, Brewer, Gasquet, Creighton, Lang, Pollard, Hume, Corbett, Seeley, while much of the substratum has come from Froude. Good evidence of his sanity is afforded by the use which he has made of the last-named writer. His errors both in judgment and in statement of fact are recognized, but at the same time and especially for the second half of the century, Froude's work is accepted as fundamental. Mr. Innes has been especially successful in showing the organic relation between foreign policy and the internal development of the kingdom, and in this connection his appreciation of Wolsey is clear and just. The sinister aspects of Cromwell's career are brought into proper relief, but it is shown that his discernment was clearer than the king's when he affirmed that a league with the Lutherans was the logical consequence of the breach with Rome. While the dominance of Henry's will, even over his greatest ministers, is recognized, the subordination of the church to the state and the spoliation of the monasteries are regarded as his work jointly with Cromwell. The separation from Rome is treated as an accident, which did not involve, except as a very remote consequence, the establishment of the right of private judgment.

If Mr. Innes holds a brief for any one, it may be said to be Cranmer. Earlier studies had turned his attention in that direction, and in this volume he repeatedly seeks to rescue the name of that prelate from the

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charge of moral cowardice with which it is too often associated. He was the student forced to take a prominent share in public affairs, a man of peace who was dragged into the front of the battle. To him, perhaps by virtue of this peculiar inconsistency, is chiefly attributed the fact that "the Church of England allows a larger latitude of opinion within her borders than any other."

To Mr. Innes the personal character of Elizabeth presents a well-nigh insoluble problem. He halts between the two opinions: that she had throughout a profound and reasoned policy, though it was concealed by an appearance of capriciousness and deceit, and the view which would make recklessness and caprice the essential elements in her character and find in good luck the explanation of her success. But though his reflections indicate doubt on this point, his treatment of the reign as a whole brings the fact into clear relief that personal, local and special interests were subordinated with unusual care to reasons of state. But this is to be explained in part by the influence of her councilors, in reference to whom the great merit of Elizabeth was that she selected wisely and kept the best men in office till they were literally worn out in her service. The contrast which is drawn between the persecutions of Elizabeth and those of her predecessor is a suggestive point in this connection. In this period, again, skill is shown in the treatment of foreign relations, in reference to which attention may be especially called to the manner in which the courtships of Elizabeth are treated.

The period to which Mr. Hunt has addressed himself involves more complicated and far-reaching relations than that of the Tudors. When George III came to the throne England had become a great world power. Relations not only in Ireland, but in the Orient and in America, had come to be of great importance. Parliament had risen to be the chief organ in the constitution. Political parties were fully organized, and some signs of the later democratic awakening were beginning to show themselves. The state system of Europe was passing through changes, both in the east and the west, which were of the greatest moment. Mr. Hunt passes in review the events of this period of forty years, on all the theaters of action, and seeks to indicate the relation in which England stood to them all. So far as possible in his narrative he follows the order of time. On every page appears abundant evidence that he has diligently used the standard authorities. The influence of Lecky, May, Mahan and of the best biographies for the period are clearly traceable. The reading of the author among the memoirs of the time and among the more original sources in print has also been wide. The literature in French and German has been utilized.

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For the early years of the reign some material has been drawn from the Newcastle papers and the Pitt papers, which are still in manuscript.

The style is condensed, but clear. The pages are packed with information, which in general is well arranged and digested. In all essential respects the book fulfils its purpose, that of a compendium of existing knowledge prepared for the use of advanced students and readers.

For this very reason, however, the book lacks individuality. The author writes neither as a Whig nor as a Tory. If he cherishes enthusiasms or is moved by antipathies, he has little or no space in which to parade them. Great personalities and striking events lose some of their prominence and sink into the general mass. The book was not written with any special purpose, like that of exploiting new material or presenting an original view of a period or of facts already well known. It lacks a certain spice of originality which is perceptible in Mr. Innes's volume. But the reader who desires to review the main facts of the first half of the reign of George III will find them better presented, and in more orderly fashion, in this volume than in any other with which the writer is acquainted.

As the events of this period were located in four distinct theaters—England, Ireland, America, India—while two wars occurred during the interval, in which several of the states of the continent of Europe were concerned, the question of arrangement involves some difficulty. Mr. Hunt has in general adhered to the chronological order of events, and in some parts of the book this has been done so strictly as almost to destroy the continuity of treatment. For example, the history of the British in India during the period is so cut up and distributed through the book as to make it difficult to get a clear idea of its significance. The same, though to a less degree, is true of Ireland.

The treatment of the colonial revolt is, on the whole, judicious and satisfactory. It is called first a "quarrel" and then a "rebellion," with which latter designation some of Mr. Hunt's readers would not agree. That Parliament had frequently imposed port duties on the colonies is hardly true (p. 62), only three such instances having occurred before 1765. Jonathan Mayhew is credited without qualification to the Unitarians (p. 61). An occasional error in geography appears, as when it is stated that after the seizure of Ticonderoga in 1775 Arnold sailed "up Lake Champlain and captured St. Johns" (p. 144), and also when it is stated (p. 167) that after the engagement at White Plains, Washington withdrew to a position "behind Croton river." On p. 194 d'Estaing is represented as sailing "southwards" from New York in order to reach Newport. I doubt also whether loyalists always rode astride "iron" rails.

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One of the few instances where the undercurrent of the author's feeling is revealed is on page 71. There he speaks of Camden's argument on the repeal of the stamp act as "trash," "more in place in the mouth of an American demagogue than of an English judge." The author is especially severe on Camden, while Conway and Dartmouth are dismissed with little credit. The Adamses, Patrick Henry and men of their class figure very slightly in these pages. The book in general deals with external political events, and little inquiry is made into deeper natural and social causes.

HERBERT L. OSGOOD.

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RECORD OF POLITICAL EVENTS.

[From November 7, 1905, to May 1, 1906.]

I. INTERNATIONAL RELATIONS.

THE CONFERENCE AT ALGECIRAS.—The central event in the diplomatic world has been the international conference over the Morocco question. (See last RECORD, p. 744.) The conference met at Algeciras, Spain, on January 16. Besides Morocco, twelve states, including France, Germany, England, Austria, Italy, Spain and the United States were represented; but the American delegates, Henry White, ambassador to Italy, and S. R. Gummere, minister to Morocco, while participating in the discussion, abstained from voting. The meetings were presided over by the Duke of Almodovar, Spanish minister of foreign affairs. The matters which aroused the greatest controversy were the policing of the port towns and the control of the state bank which it was proposed to establish. France, having supplied about 70,000,000 of the 75,000,000 francs lent the Maghzen by foreign financiers, considered herself entitled to a predominant influence in the bank administration; whereas Germany demanded that the new institution should not be controlled by one nationality and should not be used for political purposes. In the police question the main problem was whether France, which by her position in Algeria was most interested in such work and was best situated for it, should control the police, or whether they should be jointly controlled by several nations. The differences of opinion regarding these subjects were so radical that for several weeks no agreement was reached; all sorts of rumors spread abroad, and both Germany and France made preparations for war. Great Britain supported France with firmness, while Russia, Spain and even Italy, despite the Triple Alliance, were also disposed to take the side of France. Under these circumstances Germany was constrained to act with the greatest caution, and at the end of March a compromise was reached. By the terms of this compromise it was agreed that for five years France shall officer the police of the four ports of Saffi, Mazagan, Mogador and Rabat; that Spain shall officer the police of the two ports of Tetuan and Laroche; that France and Spain together shall furnish the officers for Tangier and Casablanca, subject to an inspector of police from a third power; and that the police officers shall be responsible both to the sultan and to the diplomatic corps. As regards the bank question, it was settled that France is to have three of the fifteen shares, while the other countries are to have one each, and that the Banks of England, France, Germany and Spain shall appoint one supervisor each. In addition, steps were taken to prevent the intro-

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duction of contraband of war into the country, and the principle of the open door for the trade of all nations was adopted. While the outcome was a compromise, it is generally conceded that France came away from the conference with enhanced prestige, whereas that of Germany was considerably diminished.

EUROPEAN INTERNATIONAL RELATIONS.—On November 17 the representatives of six powers presented final demands to the Turkish government for an international board of control for the financial affairs of **Macedonia**. The Porte rejected the proposals on all points, declaring that Turkish public opinion would not countenance such a measure. An international fleet was therefore dispatched, which arrived off Mytilene on the night of November 25, and after the expiry of three hours' notice given to the local authorities a force was landed which occupied the custom-house, the telegraph office and other portions of the town. Lemnos was soon afterward occupied in the same manner. These aggressive measures brought the sultan to terms, and about the middle of December the demands of the powers, in slightly modified form, were accepted.—Edward Joris, the Belgian accused of attempting to assassinate the sultan last July (see last RECORD, p. 774), was convicted on December 18, together with three accomplices, by the court of Stamboul, and was condemned to death. The Belgian minister refused to recognize the validity of the sentence on the ground that an Ottoman court has no right to try a Belgian; and he demanded that Joris be handed over to a Belgian court, but the sultan has thus far refused to assent to the demand.—Diplomatic relations have been arranged between the new kingdom of **Norway** and other powers.—The concordat between **France** and the **Papacy** was abolished by the passage on December 6 of the law separating church and state (see FRANCE). In February it was reported that the pope had issued an encyclical condemning the law because it is repugnant to the divine constitution of the church, because by it worship is entrusted to lay associations and because the freedom of the church is submitted to the will of public officers. A few days later he created nineteen French bishops in the dioceses made vacant by the struggle.—**Commercial treaties** have been signed between Austria and Italy, Austria and Belgium, Austria and Russia, Portugal and Italy, Portugal and Switzerland, Portugal and Germany, Great Britain and Bulgaria, Servia and Germany. In November a new *modus vivendi* for commerce and navigation, to take the place of that arranged in 1892, was reached between representatives of Italy and of Spain; but the Italian chamber, partly out of hostility to the ministry and partly because the arrangement made no reservations in favor of Italian wines, refused to ratify it.—In January representatives of Servia and Bulgaria negotiated a convention aiming at the establishment of a customs union between the two countries; but the convention aroused much opposition on the part of Austria-Hungary, and the adoption by the last mentioned country of a hostile attitude toward the pro-

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ducts of Servia forced the Servian government to refrain from submitting the convention to the Skupshtina for ratification.

ASIATIC INTERNATIONAL RELATIONS.—On February 12 the British ambassador called upon the grand vizier of **Turkey** in order to insist upon the withdrawal of the Turkish troops which had occupied Tabah and other places in the Sinai peninsula on the Egyptian side of the frontier. Turkish commissioners later visited Cairo in connection with the matter, but for some reason failed to give any official intimation of their presence, and later returned to Turkish soil. Despite the protests of the English government the troops have not yet been withdrawn.—A border dispute has also occurred between Turkey and **Persia.** In March, after considerable previous negotiation, the Persian ambassador at Constantinople, in replying to a note from the Porte, deprecated any break in the good relations between two Mussulman powers and stated that Persia intended to send delegates to negotiate as soon as the Turkish troops were withdrawn from territory incontestably belonging to Persia.—Early in December a new agreement, which is to hold for five years, was reached by Germany and **China** regarding the Tsing-Tau customs. It was stipulated that the customs should be administered in a similar fashion to those in treaty ports, subject to such modifications as local needs may require. China is to pay Germany twenty per cent of the imposts as a contribution toward the expenses of local administration. German troops stationed at Ching-wan-tao and Pei-taho, outposts of Kiao-chau, were withdrawn early in March.—On December 22 a treaty by which China in effect confirmed the Peace of Portsmouth was signed at Peking between the Japanese representatives, Baron Komura and Mr. Uchida, and the Chinese representatives, Prince Ching and Yuan Shih-kai. By the treaty China consented to lease the Liao-tung peninsula to Japan and conceded to her also the control of the railway on the peninsula as far as Chang-chun, and the right to build a railway from Antung on the Yalu to Mukden, with a reservation to China of the right to purchase at the end of a certain period. By another article it was agreed that sixteen of the principal ports and cities of Manchuria should be thrown open to the commerce and trade of the world. On April 9 the Japanese embassy at Washington announced that, in accordance with the principle of the open door, citizens and vessels of foreign countries should from May 1 be allowed to enter An-Tung-Hsien and Ta-Tung-Kao; that on the same date consuls would be received at An-Tung-Hsien, and that consuls might enter Mukden on June 1. Travelling in Manchuria is to be permitted as far as military exigencies will allow. The port of Dalny is to be opened as soon as possible.—During January and subsequently efforts were made by Russia to secure favorable concessions from China in Mongolia, Turkestan and Manchuria, but seemingly without much success.—An agreement between Great Britian and China, embodying the adhesion of China to the Tibetan Convention, was signed at Peking on April 27.

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—Since the murder on October 24 of American missionaries at Lienchow (see last RECORD, p. 743) numerous other **anti-foreign demonstrations** have occurred in China. Serious riots, which were in part a result of a dispute between the Chinese and foreign members of the "mixed court," broke out at Shanghai on December 18, but were suppressed by the help of marines landed from warships in the harbor. Six Jesuit priests and four English missionaries were killed at Nanchang on February 28. Particular hostility has been displayed toward Americans; and the boycott against American goods (see last RECORD, p. 743) has resulted in serious injury to American trade (see THE UNITED STATES, THE ADMINISTRATION, *infra*). The general situation in the empire was such that not a little apprehension of a repetition of the Boxer troubles was aroused. As a precautionary measure the American forces in the Philippines were strengthened, and additional ships were sent to Chinese ports. It is probable that representations were made to the government at Peking by Japan and perhaps by other nations.—In November the government of **Japan** announced that all ships and cargoes seized by the Japanese after September 5 would be released. About the same time the Japanese legations at London, Washington, Paris, Berlin and St. Petersburg were raised to the rank of embassies. A statement made on January 31 in the Japanese Chamber by the minister of war was later construed into an intention on the part of Japan to insist that Great Britain should take steps to render her army more efficient and was the occasion of considerable comment.

AMERICAN INTERNATIONAL RELATIONS.—The fact that the commercial agreement between the **United States** and **Germany** was to expire March 1, thus rendering American imports into Germany subject to the general rates of duties, instead of the conventional rates enjoyed by those countries which had effected reciprocity arrangements with Germany, aroused considerable apprehension lest a tariff war should break out between Germany and the United States. In February it was agreed that until June 30, 1907, the United States should be allowed to enjoy most-favored-nation treatment. The hope was expressed by Germany that before the expiration of that period a regular treaty could be concluded.—The treaty between the United States and **Santo Domingo** whereby the United States is to manage the customs administration of the latter has been strenuously opposed in the United States Senate. Several Republicans have refused to support it; while the Democrats have in caucus voted to oppose it, although one Democratic senator, Mr. Patterson, has announced that he will not abide by the caucus rule. A vote upon the treaty has not yet been taken. Subsequently to the negotiations of the treaty President Morales late in December fled from the capital and Vice-President Caceres was installed in his place (see LATIN AMERICA). The new president has, however, declared himself in favor of the treaty.—Peculiar complications arose in November out of an attempt of Americans resident on the **Isle of Pines** to ignore Cuban authority, to set up a territorial government and to

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send a delegate to Congress. Appeals were made to President Roosevelt, but he declined to consider the Isle of Pines as other than Cuban territory. Popular opinion in the United States has generally regarded the attempt in the light of a joke. The treaty under which the United States relinquishes all claims to the island has not, however, yet been ratified by the United States Senate, although it has been pending since 1903. It is proposed by some senators to amend the treaty in such a way as to secure local self-government for the people of the island.—A new commercial treaty which has not yet been ratified by the Senate has been negotiated with Cuba. The treaty provides for reduced duties upon many imports from the United States.—A protocol settling the boundary dispute between **Brazil** and **Venezuela** was signed at Caracas on December 9. In the same month indiscreet and unwarranted activity on the part of the officers of the German cruiser "Panther" in seeking a deserter at the port of Itajahy led Brazil to lodge a protest with Germany, with the result that the action was disavowed and an apology was made.—The third **Pan-American Conference** is to meet at Rio Janeiro on July 21. The American representatives are W. J. Buchanan, chairman, J. S. Harlan, Dr. L. S. Rowe, V. L. Polk, and G. Larrinago of Porto Rico. Secretary of State Root will visit the conference. It is understood that, among other matters, the subject of the Calvo doctrine as to the collection of contractual indebtedness by the use of military force will be discussed.—As usual President Castro of **Venezuela** has managed to keep his country involved in trouble with other powers. Early in December diplomatic relations with Colombia, which had been broken off since the Matos revolt, were resumed; but a fortnight later, owing, it is said, to the failure on the part of Colombia to return to Venezuela a political refugee who had fled thither, Castro recalled the Venezuelan consul at Cucuta and closed the consulate at Bogota. After futile negotiations regarding the affairs of the French Cable Company (see last RECORD, p. 746) a diplomatic break took place between France and Venezuela on January 10. On January 14 M. Taigny, the French chargé d'affaires, went on board the steamer "Martinique" at La Guayra in order to get instructions which, owing to the seizure of the cable office, were sent in charge of a French postal agent. When he attempted to go ashore, he was prevented by force from doing so. The Venezuelan chargé at Paris was thereupon given his passports. Rumors of a French punitive expedition have been frequent, and it is reported that the United States has informed France that she would not interpose objections to such a step. The claims of the American asphalt companies remain unsettled.

THE HAGUE CONFERENCE AND INTERNATIONAL ARBITRATION.—On April 3 the Russian government presented proposals to the United States for reconvening the Hague Conference in July. On the 13th, however, Secretary Root informed the Russian government that the convenience of the United States would be served by the selection of any

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date later than September 20. A date has not yet been agreed upon.—**Arbitration treaties** have been negotiated between Denmark and Spain, Denmark and Italy, Brazil and the Argentine Republic.

II. THE UNITED STATES.

THE ADMINISTRATION.—The past winter witnessed a bitter struggle between the president and his opponents in Congress. The first important trial of strength occurred in the House over the Philippine tariff and joint-statehood bills; but the main struggle was over the bill for the regulation of railway rates. This measure, which passed the House by an almost unanimous vote, was still before the Senate at the close of the period under review. In this body the Republicans were divided over the question, and the most outspoken opponents of the proposed legislation were certain Republican senators. In order to weaken the president's influence with the people and thereby defeat his policies, all possible opportunities of attack were seized upon with eagerness. His Santo Domingo treaty was criticised, the management of the Panama canal was made a subject of inquiry, and he was accused of trying to influence members of Congress by his use of patronage. The president, on his part, is reported to have asserted that bribery was being used by interests opposed to the statehood bill. A remarkable feature of the contest was the attitude taken by the Democrats. On many matters, such as the statehood bill and the Santo Domingo treaty, they opposed the administration; but on others, and particularly on the railway rate bill, they gave him an almost unanimous support.—In order to do away with **unnecessary printing** in the departments and improve the form of the annual reports and other documents, the president in January ordered the head of each department to appoint an advisory printing committee and announced that he intended to appoint a general committee, advisory to all the departments, to consist of the librarian of Congress, the public printer and three other persons.—The postmaster general has begun a war on **fraudulent medical concerns.** On March 24 an order was issued excluding from the mails the advertisements of 52 such establishments in New York city and refusing delivery of mail matter addressed to them.—Mr. Metcalf, secretary of commerce and labor, in February approved the report of a special commission which had been investigating the existing regulations regarding the entry and residence of **Chinese.** The report provided that such alterations shall be made that there shall be no delay in the admission of those Chinese who do not belong to the excluded classes, that the Bertillon system of identification shall be discontinued and that Chinese departing from this country shall be informed of the conditions of their readmission.—During the fall and winter there was frequently great stringency in the **money market,** particularly in speculative circles, and efforts were made to induce the treasury department to come to the relief of the market. This Secretary Shaw resolutely refused to do; but on March 2, in view of the unusual amount of money flowing into the treasury, he

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announced that he would at once deposit $10,000,000 of the public funds in existing depository banks upon their agreement to import an equal amount of bullion from abroad.—Among the apointments which have been made are the following: Wilfred B. Hoggatt to be governor of Alaska; H. J. Hagerman to be governor of New Mexico; Henry C. Ide to be governor of the Philippines; John L. Pancoast to be associate justice of the supreme court of Oklahoma; Hosea Townsend, William H. H. Clayton, William R. Lawrence, Lurman F. Parker, to be judges of the Indian Territory; Brigadier General Frederick D. Grant to be a major general; Major General J. C. Bates to be lieutenant general succeeding Lieutenant General Chaffee; Brigadier General Franklin Bell to succeed General Bates on his retirement on April 14; Captain Henry W. Lyon to be a rear admiral; John H. Edwards to be assistant secretary of the treasury; Luke E. Wright, ex-governor of the Philippines, to be our first ambassador to Japan; Edwin V. Morgan, ex-minister to Corea, to succeed Herbert G. Squiers as minister to Cuba. In March the president summarily removed Mr. Bellamy Storer from his position as minister to Austria and appointed Charles S. Francis, ex-minister to Greece, to succeed him. Early in December the president removed William S. Leib, assistant United States treasurer at Philadelphia, because of "constant and persistent violation of the civil service law." In the same month he removed Irving W. Baxter, a United States district attorney in Nebraska, for having recommended that two convicted land thieves should merely be committed to the custody of the marshall for a few hours. On March 6 he accepted the resignation of assistant paymaster George A. Deering, who had been brought before a court-martial on charges concerning his pay accounts.—On November 25 Senator Burton of Kansas was again convicted of having received compensation for practicing as an attorney before the post office department in behalf of a speculative concern that was in danger of being forbidden to use the mails for the promotion of its business (see RECORDS for December 1904, p. 727 and December, 1905, p. 750). His case has again been appealed. George W. Beavers, one of the persons implicated in the **postal frauds** (see RECORDS of December 1903, p. 726; June, 1904, p. 341; December, 1904, p. 730 and December 1905, p. 750) was sentenced in February to four years in the penitentiary. Benjamin J. Greene and John F. Gaynor, who some years ago fled to Canada but were later extradited (see last RECORD, p. 748), were found guilty in the federal court at Savannah on April 12 of embezzlement and conspiracy to defraud the government and were sentenced to four years imprisonment and to pay a heavy fine.

THE DEPENDENCIES.—On January 31 Major-General Wood, head of the military department in Mindanao, succeeded Major-General Henry C. Corbin as commander of the military division of the **Philippines.** Early in March General Wood attacked several hundred Moro outlaws who had taken refuge in the crater of Mount Dajo, Island of Jolo, and on a final

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assault made on the 8th a desperate fight ensued in which about six hundred Moros and seventeen Americans were killed. When the news of this conflict reached the United States, the fact that many Moro women and children were killed aroused much criticism. It was later explained that this was rendered unavoidable because the women fought along with the men and the children were used by the men as shields. Later in the same month a constabulary force was treacherously attacked by Pulajanes at Magtaon, Island of Samar, but after losing sixteen in killed and wounded succeeded in putting the enemy to flight. On April 16 a band of forty ladrones raided the town of Malolos near Manila, killed three members of the constabulary, lost one of their own number and escaped with twenty rifles.—The annual report for 1904–05 of the Philippine commission states that the exports have increased by $2,129,738, but that there was a decrease in imports of $2,342,203, due to the fact that a good rice crop had rendered unnecessary a large importation of rice. The failure of the Senate at Washington to pass the Philippine tariff bill has proved a great disappointment to the people of the islands.—On April 2 Henry C. Ide was inaugurated as governor general of the Philippines in place of Governor Wright, who goes as ambassador to Japan. He will be succeeded later in the year by General James T. Smith.—On March 26 the House of Representatives in the contested election case of C. P. Tanker *v.* Jorab K. Kalemiorcole decided that the latter had been rightfully elected delegate for **Hawaii.**

PANAMA AND THE ISTHMIAN CANAL.—An emergency appropriation of $11,000,000 for use in canal work was signed by the president on December 21.—On January 8 the president sent to Congress the letter of Secretary Taft transmitting the annual report of the Isthmian Canal Commission, and in doing so stated that great progress had been made, especially during the last nine months, and that the canal would probably be finished in a shorter time than estimated. He also said that many charges had been made and doubtless would continue to be made by "sensation mongers" or by persons with a grievance against the canal management, and he advised Congress not to pay any heed to such charges. Nevertheless, the Senate passed a resolution for an inquiry. This inquiry developed the fact that many of the charges made in the American press against the canal management had been founded on hearsay evidence.—In their written report a majority of the board of consulting engineers recommended a sea-level canal; but the president, Engineer Stevens, and all the canal commissioners except one have declared for a **lock canal.** Some of the advantages of a lock canal are that it can be built in eight or nine years at an estimated cost of $147,000,000, whereas a sea-level canal would probably require at least fifteen years and would cost not less than $250,000,000.—The **labor question** still continues to be a puzzling one. An attempt in Congress to insert in an appropriation bill a clause providing for an eight-hour day for laborers on the canal was defeated.

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CONGRESS.—The Fifty-ninth Congress assembled for the first time on December 4. Joseph G. Cannon was reëlected speaker of the House. The president's annual **message**, one of the longest ever submitted to a Congress, was read on the 5th. In it the first place was given to an urgent plea for better government regulation of railroads and particularly for legislation to detroy the rebate evil. Among the other recommendations were legislation to require the publication of campaign expenses and to prohibit campaign contributions by corporations; federal supervision of insurance; maintenance of the efficicncy of the navy; prohibition of interstate commerce in adulterated food; more stringent regulation of immigration; the admission of Porto Ricans to American citizenship; admission to Congress of a delegate from Alaska; joint-statehood for Oklahoma and Indian Territory and for Arizona and New Mexico; reduction of the tariff on Philippine products; an emergency appropriation for the Panama canal commission and improvement of the consular service.—A bill admitting all **Philippine** products into the United States free, excepting rice, sugar and tobacco, which were to pay 25 per cent of the Dingley rates until 1909, when they also were to go on the free list, was passed by the House on January 16, despite opposition on the part of many Republicans; but the Senate committee on the Philippines refused to report it. On April 3 Senator Lodge announced that he would nevertheless try to get the bill before the Senate.—A **joint-statehood** bill for New Mexico and Arizona and for Oklahoma and Indian Territory was early introduced in the House. In Arizona the measure aroused much opposition. In the House there was an "insurrection" against it on the part of certain Republicans. The bill was, however, carried through on January 24 by a vote of 192 to 165, but in the Senate that portion of it which provided for the admission of Arizona and New Mexico was stricken out.—After the passage by the House of the Philippine tariff and joint-statehood bills Chairman Hepburn, of the House Committee on Interstate and Foreign Commerce, reported a **railroad-rate** bill. This bill, which contained many features of the Esch-Townsend measure of the preceding session, placed all interstate commerce within the control of the Interstate Commerce Commission, and provided that whenever the commission, after a full hearing upon a complaint against any existing railroad rate charged or collected by a carrier engaged in interstate commerce, should be of the opinion that the charges or rates complained of were "unjust or unreasonable, or unduly preferential or prejudicial, in violation of the terms of this act," the commission should have the power "to determine and prescribe what will in its judgment be the just, reasonable and fairly remunerative rate to be thereafter observed as the maximum rate to be charged;" and to make an order that the carrier should desist from levying any charge in excess of the prescribed maximum. The bill was supported by both parties in the House and was passed by that body on February 3 by a vote of 346 to 7. When the bill was considered in the Senate Interstate Commerce Committee, a

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majority on February 23 voted to report it unamended; but Senator Aldrich, the leader of the opposition to it, in order to bring it into discredit, moved that it should be put in charge of Senator Tilman, a Democrat and one of the president's bitterest enemies. The motion was carried. A hard fight then began in the Senate and a final vote has not yet been taken.—Among the other bills which passed the House was one appropriating $11,000,000 for the Panama canal work, and another making it a misdemeanor to manufacture or sell adulterated or misbranded foods, drugs, medicines or liquors in the District of Columbia, the territories or the insular possessions, and prohibiting the shipping of such goods from state to state or to a foreign country. An army appropriation bill carrying a little more than $69,000,000 was passed by the House on March 1. A national quarantine bill giving to the secretary of the treasury control over all quarantine stations, grounds and anchorages and providing that all common carriers must receive passengers, baggage and freight which shall have been discharged and certified by the public health and marine hospital service and forbidding interference with the same, passed the House on April 3.—Other measures which have been introduced include a bill to improve the consular service, a bill to provide residences for our ministers and ambassadors, an anti-injunction bill and a federal insurance bill.

THE FEDERAL JUDICIARY.—The supreme court unanimously decided that the case of Caleb Powers is not removable from the state courts of Kentucky to the federal courts.— In the case of Haddock *v.* Haddock the court sustained the courts of the state of New York in holding that a divorce valid in all the states cannot be given by the courts of a state in which only one party resides.—On March 12 the court decided the Chicago Street Railway cases, involving the franchises of the three principal street railway companies, in favor of the city. The decision sustained the acts of the state legislature extending the life of the charters of the railway companies to ninety-nine years but did not sustain the contention of the companies that the contract rights (limited to a less term of years than the charter life of the companies) are extended. Contracts or ordinances of the city limiting the use of the streets by the companies for twenty-five years from 1859 were upheld and the companies' rights in the streets were held to expire in accordance with the express terms of the ordinances or contracts.—In Martin *v.* Texas it was held that while an accused person of African descent on trial in a state court is entitled under the constitution of the United States to demand that in organizing the grand jury and empanelling the petit jury, there shall be no exclusion of his race on account of race or color, such discrimination cannot be established by merely proving that no one of his race was on either of the juries. Motions to quash based on alleged discriminations of that nature must be supported by evidence or by an actual offer of proof in regard thereto.—In South Carolina *v.* the United States it was held that persons who sell liquor are not re-

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lieved from liability for the internal revenue tax imposed by the federal government by the fact that they have no interest in the profits of the business and are simply the agents of a state which, in the exercise of its reserved power, has taken charge of the business of selling intoxicating liquor. —In Campbell *v.* California the court held that a state tax on inheritances to brothers and sisters but not on inheritances to brothers-in-law and sisters-in-law does not violate the fourteenth amendment.—In the case of the Hibernia Savings and Loan Society *v.* San Francisco the court upheld the principle that while the states cannot tax official agencies of the federal government this rule does not apply to obligations such as checks and warrants available for immediate use.—In New York, New Haven and Hartford Railroad *v.* the Interstate Commerce Commission and the Interstate Commerce Commission *v.* the Chesapeake and Ohio Railroad Company the court held that no railroad can give preference in rates to itself as a dealer in commodities. The court recommended that the injunction of the lower court "be modified and enlarged by perpetually enjoining the Chesapeake and Ohio from taking less than the rates fixed in its published tariff of freight rates by means of dealing in the purchase and sale of coal."—That there is no law governing the character of printed matter which a Congressman may authorize to be sent through the mails under his official frank is the gist of a decision rendered in April by Judge Marshall of the United States district court in Utah. (See also the TRUST PROBLEM, *infra*).

STATE AFFAIRS.—In **Connecticut** a law has been passed by the present legislature requiring retail dealers in patent medicines which contain a certain percentage of alcohol to pay a license fee of $25.—On April 18 the state of **California** was visited by an earthquake which destroyed a great part of the city of San Francisco and of several other towns and killed several hundred people. In San Francisco the earthquake was followed by a fire which raged for several days. The total loss in the one city is estimated at $300,000,000, and probably 200,000 people were rendered homeless. Prompt assistance was rendered by individuals, associations and by the national government.—The suit of the state of **Kansas** against the Standard Oil Company of Indiana for forfeiture of its certificate to carry on business in the state was dismissed by the state supreme court on March 5. —In the course of proceedings brought by **Missouri** against various oil companies for violation of the anti-trust laws, the state attorney general, after a long fight, was able late in March to compel Mr. Henry H. Rogers, the active head of the Standard Oil Company, to admit that the Standard controls the Waters-Pierce Company, the Republic Oil Company and the Standard Oil Company of Indiana. On March 5 the Missouri board of railroad and warehouse commissioners reduced the rates on oil shipped between St. Louis and Kansas City in such a way as to strike a blow against the Standard Oil Company in favor of independent refiners.—In February the case of the state of Missouri against the state of **Illinois** regarding the right

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of the city of Chicago to turn sewage into the Chicago drainage canal was decided by the United States supreme court in favor of the defendant.—In **Montana** the supreme court in November declared an anti-trust law unconstitutional because it made exceptions in favor of agricultural and horticultural classes.—In **New Jersey** Governor Stokes on March 26 signed a bill limiting all public utility franchises granted by municipalities to a term of twenty years, unless such franchise should be ratified by the people, in which case the term may extend to forty years.—The first step toward deposing Benjamin F. Odell from the Republican leadership in **New York** politics was taken when his opponents, with the aid of President Roosevelt and Governor Higgins, secured on January 3 the election of James W. Wadsworth, Jr., as speaker of the Assembly. A resolution calling upon Chauncey M. Depew to resign his seat in the federal Senate because of his complicity in insurance irregularities was introduced in the state Senate. The Elsberg Rapid Transit bill, which has been before the legislature at every session for four years, passed both houses in April. Revelations of wrong doing by the heads of the great **insurance companies** have continued (see last RECORD, p. 755). On February 22 the Armstrong investigating committee sent in its report to the legislature. The report recommended legislation prohibiting syndicate operations on the part of insurance officials, the limiting of new insurance by any company to $150,000,000 per year, added restrictions upon the nature of investments, annual distribution of surplus to be applied to the reduction of premiums, prohibition of political contributions and similar measures. Several bills in line with these recommendations have already been passed; one of these bills forbids corporations to make contributions to a political party. There have been many changes in the management of some of the companies, and in some cases the officials have made partial restitution. George W. Perkins of the New York Life, Frederick A. Burnham of the Mutual Reserve Life and others have been arrested on charges of larceny.—A special session of the **Pennsylvania** legislature has passed a number of excellent acts including a repeal of certain "ripper" legislation, a corrupt practices act, a personal registration act and a civil service act for Philadelphia.—The **Ohio** legislature in March passed a bill fixing a penalty not to exceed $200 or six months in jail, or both, for students guilty of hazing or teachers or superintendents of schools permitting hazing. The same legislature also enacted a law fixing a passenger rate of two cents per mile on all railroads.—The **Rhode Island** Senate on April 5 passed a bill allowing women to participate in the choice of presidential electors.—In **Wisconsin** the attempt of the La Follette party to amend the primary election law in such a way as to enable a voter to express his second as well as his first choice for a candidate for office was defeated by the lower house on December 12.

MUNICIPAL AFFAIRS.—On April 3 the people of **Chicago** by a majority of 3,837 declared for municipal ownership of the street railways, but

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in the same election refused by a majority of 10,651 to accept the principle of municipal operation. The question of issuing $75,000,000 of so-called Mueller law certificates was answered in the affirmative.—In **Milwaukee** a mayoralty election resulted in an unexpected victory for the Republican candidate, Sherman M. Becker, over Mayor Rose. A feature of the election was a decided falling off in the Socialist vote.—The application of Mr. Hearst, one of the defeated candidates in the **New York city** municipal election of November, for a recount of the votes was refused on appeal by the court of appeals on December 13. Attempts to induce the legislature to authorize a recount were likewise fruitless. A law reducing the rate on gas in New York city from $1 to $.80 per thousand feet has been enacted and will go into effect May 1. In December the Interborough Rapid Transit Company, through August Belmont and Company, purchased all the interest of Thomas F. Ryan and his associates in the Metropolitan Securities Company and the Metropolitan Street Railway, thereby merging into one concern all the traction lines in Manhattan, including the subway, the elevated and the surface lines.—In January Israel Durham, one of the political bosses overthrown in November, retired from the Republican leadership in **Philadelphia**, and was succeeded by John M. Mack. Mayor Weaver has continued his career of reform.—In **Seattle** a municipal ownership candidate on a municipal ownership platform was elected mayor on March 7.

THE TRUST PROBLEM.—In February Congress passed a joint resolution instructing the Interstate Commerce Commission to make examinations into the subject of railroad discriminations and monopolies in coal and oil. The president signed the resolution, but on March 7 transmitted to Congress a message in which he stated that he had done so with hesitation, partly because he feared such an investigation would do no good, partly because an investigation was already being conducted by the department of commerce and labor and partly because the investigation, if thoroughly and effectively conducted, would result in giving immunity from criminal prosecution to all persons who should be called, sworn and constrained by compulsory process of law to testify as witnesses. An extremely important principle was laid down on March 12 by the United States supreme court in deciding a case against the Tobacco Trust. The court held that the principle that "no man can incriminate himself" does not mean that an individual witness shall be excused from testifying against the corporation of which he is an employee or the officers thereof. Under this interpretation of the law it will now be possible to force trust employees and officials to produce books, papers, contracts, secret agreements and anything for which the court may call. By a decision of Judge Humphrey of the United States district court at Chicago in the Beef Trust cases all the individual defendants were discharged on the ground that they were entitled to immunity because Commissioner Garfield, of the bureau of corpo-

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rations, had procured from them information as to their business and the matters covered in the indictments. In a special message to Congress on April 17 the president referred to the decision as coming "measurably near making the law a farce" and recommended that Congress pass a declaratory act stating the real meaning of the existing legislation regarding immunity and an act giving to the government the same right of appeal in criminal cases that the defendant has on questions of law.

LABOR AND CAPITAL.—On January 2 the chorus of the Metropolitan Opera House, having recently become members of a union, repudiated their contracts and demanded higher wages and recognition of their union. This novel strike was soon brought to an end by compromise.—On January 2 a strike, the chief center of which was in New York city, was begun by the International Typographical Union, which demanded an eight-hour day and the closing of the shops against non-union men. Arrayed against the strikers was the United Typothetae, a well organized combination of employers. The strike resulted in no definite victory for either side; for while many firms conceded the demands of the strikers, others were successful in either filling the places of the strikers or inducing them to return to work without granting any or all of their demands.—In the course of a strike in New York city of structural iron workers dynamite was several times used by the strikers against firms employing non-union men. One of the men concerned in an attempt of this kind on February 24 later confessed and implicated members of the union.—On December 30 ex-Governor Steunberg, who some years ago was active in prosecuting lawless miners of the Coeur d'Alene, was blown up by a bomb at his home at Caldwell, Idaho. A detective who years ago was instrumental in convicting the "Molly Maguires" secured the arrest of a man named Harry Orchard, who confessed that he had not only been guilty of this crime but that he had also been connected with twenty-five other murders of persons hostile to the miners' unions. He asserted that these crimes were committed at the instigation of the Western Federation of Miners. His confession was partly borne out by the fact that a concealed bomb, mentioned by him, was found at the gate of Supreme Court Justice Goddard at Denver. President Moyer, Secretary Haywood and other officers of the Western Federation of Miners have been arrested.—Early in February it was announced that a joint conference of soft-coal miners and operators which had been in session at Indianapolis had been unable to reach an agreement and that a general strike would probably take place on April 1, the date of the expiration of the then existing agreement. The demands presented by the miners were for an advance of five and one-half per cent in wages. About the same time the anthracite workers, whose agreement likewise was to expire with the end of March, presented to their employers demands for an advance of ten per cent in wages, together with an eight-hour day and a formal recognition of their union. The prospect of a strike on the part of the miners caused

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widespread apprehension. On February 24 President Roosevelt addressed a letter to Mr. Francis L. Robbins, president of the Pittsburg Coal Company, and to Mr. John Mitchell, president of the United Mine Workers, urging that a further effort to avert the strike ought to be made. About the same time the United States Steel Corporation and several railroads brought pressure to bear on the soft-coal operators in order to induce them to make concessions. Partly as a result of these various influences, a second conference of the soft-coal men met at Indianapolis on March 19, but this conference produced no definite results, owing in part to differences among the operators. Many individual operators, however, granted the demands of their employees. Negotiations between the anthracite operators and their employees failed completely. On April 1, therefore, practically all the anthracite workers and many of the soft-coal workers quit work. The strike involves miners in fifteen states. Several attempts to arrive at an understanding have been made since the strike began, but thus far without success.—On April 16 a strike of about 4,000 linemen and other electrical employees of the Southern Bell Telephone Company began in Virginia, North Carolina and five other Southern states.—In January the appellate division of the New York supreme court in the district of New York city held unconstitutional a law making it a penal offence for an employer of labor to compel an employee to enter into an agreement not to join a labor union.

THE RACE PROBLEM AND LYNCHING.—According to figures furnished by the Chicago *Tribune*, the total number of persons lynched in the United States during the period from November 1 to April 21 is twenty-one, all of whom were colored. All the actual lynchings occurred south of Mason and Dixon's line, although race riots occurred at several places in the North.—Chattanooga, Tennessee, has been one of the chief centers for this kind of disturbance. On January 26 a mob estimated at from 3,000 to 4,000 men made an effort to break into the county jail and take away two negroes, supposed to be within, charged with attacking white girls. One side of the jail was badly wrecked, but the sheriff and police managed to hold the mob at bay until a company of militia arrived and dispersed it. On March 19 a mob in the same town broke into the jail and lynched a negro named Johnson, who had been convicted of rape by a state court, but who, on the ground that he had not had a fair trial, had been granted an appeal by the United States supreme court. The circumstances of the case aroused unusual interest, and it is thought that the supreme court will vigorously attempt to punish the persons who defied its authority. On March 26 threats were again made to take a negro named Wilson, who was accused of murder, from the Chattanooga jail, but such a show of force was made by the sheriff that the mob was overawed.—The town of Springfield, Ohio, was again disgraced on February 27, 28, and March 1 by an outbreak of race hatred. The occasion of the outbreak was a quarrel between a rail-

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way brakeman named Martin Davis and two negroes, as a result of which the brakeman was fatally shot and one of the negroes was badly wounded. The negroes were arrested; and, to save them from lynching, the authorities took them to another town. A mob nevertheless collected and proceeded to the negro quarter, where they burned several houses and maltreated many innocent negroes. The local militia companies were called out but were slow in obeying and, when they did appear, were unable entirely to suppress the disturbance. Other companies were sent to Springfield, yet rioting continued for two days. Several more houses were burned and several persons injured.—On March 16 a mob of about 500 persons twice attempted to gain entrance to the county jail at Omaha, Nebraska, for the purpose of lynching eight murderers, some of them colored, who were supposed to be confined there; but the sheriff made a determined resistance, and both attempts failed.—At Crescent, Louisiana, a negro named Carr was lynched on March 17 for having stolen a cow.—On the night of March 14–15 a mob broke into the jail at Springfield, Missouri, and lynched three negroes, two of whom were accused of rape, and the third of murder. It is generally believed that two and perhaps all the prisoners were entirely innocent. All but six out of more than fifty prisoners in the jail are said to have escaped as a result of the affair. Governor Folk has announced a determination to secure the punishment of the mob and has offered a reward for evidence.—On December 12 the federal supreme court declined to entertain an appeal of Thomas W. Riggin from the refusal of the federal court in Alabama to release him by writ of *habeas corpus* from arrest on a charge that by lynching a negro named Horace Maples he and others had entered into a conspiracy to deprive the negro of his right to trial by jury. This case is the first attempt to punish the crime of lynching under federal law. —Considerable race antagonism was aroused during the winter by the performance in various parts of the country of a play called *The Clansman*, which purported to give a picture of negro rule in Reconstruction times.— The twenty-fifth anniversary of the founding of Tuskegee Institute was celebrated early in April. Many eminent educators were present.

III. LATIN AMERICA.

In January the government of **Argentina** withdrew its proclamation of martial law which had been issued in October as a result of numerous strikes. On March 12 President Quintana died and was succeeded by Vice-President Figueroa. The ministry resigned, and on the 15th a new ministry under Quirno Costa took office.—On January 22 the **Brazilian** cruiser "Aquidaban" was blown up by an accidental explosion of her magazine, and 223 of her crew were killed. On March 1 Dr. A. M. Penna, the vice-president, was chosen president of the republic.—In March a loan of $18,500,000 for the construction of drainage systems in various towns was floated in New York and Berlin by the government of **Chili**. The ministry resigned on March 15, and a new one was later formed with Señor José Gut-

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ierrez as premier and minister of the interior.—In the secondary election which took place on April 1 Cleto Gonzalez Viquez was elected president of **Costa Rica**.—In **Colombia** a conspiracy against the Reyes government was discovered on December 21 and the conspirators were arrested. On February 10 an unsuccessful attempt was made to assassinate the president. —During the presidential campaign in **Cuba** the Liberals, who supported Governor Gomez, asserted that the government was using illegal means and intimidation to carry the election, but the charge does not appear to have been well founded. In the election, which took place on December 1, the Conservatives won a sweeping victory; and in the electoral college, which met on March 19, President Palma was reëlected unanimously.—In **Ecuador** a revolt against the Garcia government and in favor of the former president, General Alfaro, broke out on New Year's night. The government at first gained some victories, but the revolutionists were ultimately successful and Alfaro was declared president.—On December 10 the Congress of **Paraguay** deposed President Gaona and chose Señor Don Cecilio Baez as provisional president.—As a result of the opposition to his policies displayed by his cabinet, President Morales of **Santo Domingo** left the capital late in December, and the cabinet put Vice-President Caceres in his place. Troops were sent after Morales, and, after some fighting in which his forces were worsted, the ex-president, who had broken his leg in a fall, took refuge on January 11 at the United States legation at Santo Domingo city. In a message to Congress on February 27 President Caceres recommended a revision of the constitution, the improvement of the ports and of public roads, the enactment of laws benefitting agriculture, and declared himself in favor of the treaty with the United States.—Early in March 200 leaders of the Nationalist party in **Uruguay** were arrested.—On April 9 General Castro, president of **Venezuela**, resigned his position temporarily into the hands of Juan Vincente Gomez, and stated that should his temporary retirement bring harmony and good will to the country he would make it permanent. It is not believed, however, that he has any intention of relinquishing power. (See also AMERICAN INTERNATIONAL RELATIONS, *supra*.)

IV BRITISH AMERICA AND AUSTRALASIA.

In **Canada** the first provincial election in the new province of Saskatchewan took place on December 13 and resulted in a sweeping Liberal victory. —The first session of the legislature of Alberta was held at Edmonton on March 15. The governor, Mr. Bulyea, said that the first laws to be enacted would be for the organization of the province on proper constitutional lines and the establishment of a university.—On January 16 the formal control of the fortifications of Halifax were taken over by the Canadian government.—In **Australia** the Commonwealth Parliament in December passed a law amending the former immigration law in favor of travellers from India and Japan.—In **West Australia** the parliamentary elections resulted in the return of 34 Ministerialists, 13 Labor members and 1 Independent

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Labor member.—On December 6 the election in **New Zealand** resulted in an overwhelming victory for the Seddon ministry.—Lord Chelmsford, the new governor of **Queensland**, reached Brisbane on November 30.—In December the Legislative Assembly of **New South Wales** adopted a resolution expressing dissatisfaction at the treatment of the state by the federal government as regards the federal capital. A bill for establishing the capital at Dalgetty, New South Wales, was soon afterwards introduced in the federal Parliament.—A conference of Australian premiers began at Sydney on April 5.

V. EUROPE.

ENGLAND.—On December 4 Mr. Arthur Balfour, the prime minister, tendered to the king the resignation of the Conservative-Unionist ministry. His motives for doing so before he had been defeated in the Commons have been variously interpreted, but it is probable that his action was partly due to dissensions arising out of the Chamberlain program and partly to a desire to resign before a new election and thereby force the Liberals to face the disadvantage of taking office before the dissolution.—The king soon after sent for Sir Henry Campbell-Bannerman, and on December 5 Sir Henry undertook the task of forming a new ministry. This task he performed with remarkable success. His minstry included the following: Sir Edward Grey, secretary of state; Herbert J. Gladstone, secretary of state for home affairs; John Morley, secretary of state for India; James Bryce, chief secretary for Ireland; Mr. Haldane, secretary of war; the Earl of Elgin, secretary for the colonies; and the noted labor leader, Mr. John Burns, president of the local government board. Following the usual custom, Sir Henry himself took the position of first lord of the treasury. Mr. Winston Churchill was made under secretary for the colonies.—The new ministry, being without a majority in the Commons, decided upon an early appeal to the country. On January 8 the House of Commons was dissolved, and a new election was ordered. The main issue was that of fiscal reform, although Mr. Balfour and his followers made strenuous efforts to conjure up the spectre of home rule. The advocates of the Chamberlain program urged the great advantages which would inure to the empire if a preferential tariff policy should be adopted, and dwelt on the fact that because England was a free-trade country she was frequently at a great disadvantage in securing commercial treaties with such countries as Germany and the United States, which, having secured control of their home markets by means of high tariffs, were in a position to "dump" their surplus products upon British and other markets at extremely low prices. The Liberals pointed to the unbounded prosperity of Great Britain during half a century of free trade; declared that the measures proposed by the revisionists would increase the cost of living and would bear most heavily on workingmen; and urged that it would, in reality, be a great misfortune to the empire if the imperial tie should come to be associated with an increase in

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the price of bread.—The **elections**, which began on January 12, resulted in a sweeping victory for the Liberals. Mr. Chamberlain and seven Unionist candidates were returned by Birmingham; but Mr. Balfour was defeated in the borough of East Manchester, though he was later returned by a London constituency. A large number of the other members of the former ministry likewise suffered defeat. When Parliament met on February 13, the House of Commons consisted (with a few constituencies yet to be polled) of 429 Liberals (including 54 Laborites, of whom 33 were pledged to independent labor legislation), 157 Unionists and 83 Nationalists. One of the most notable features of the contest was the number of Labor candidates returned.—The king opened the new Parliament in person on February 13. In his speech from the throne he announced that responsible government would be granted to the Transvaal and to the Orange River Colony; that measures would be taken for improving the government of Ireland and "associating the people with the conduct of Irish affairs;" that the educational laws would be amended; that there would be legislation dealing with trade disputes, the compensation of workingmen, the unemployed, commercial corruption and to prevent plural voting at elections. Acts dealing with some of these subjects have already been passed, and bills embodying others are now being considered. On March 9 the House of Commons adopted a resolution to the effect that members ought to be paid £300 per year. Three days later the Commons, by a vote of 474 to 98, announced a determination "to resist any proposal, whether by way of taxation upon foreign corn or of the creation of a general tariff upon foreign goods, to create in this country a system of protection." One of the most debated subjects has been that of Chinese labor in the mines of the Transvaal (see ASIA AND AFRICA, *infra*).

FRANCE.—Aside from the negotiations regarding Morocco and the consequent strained relations with Germany (see INTERNATIONAL RELATIONS, *supra*), the most important events in French history during the last six months have been the election of a new president, the separation of church and state and the fall of the Rouvier ministry. The chief candidates for presidential honors were M. Paul Doumer, president of the chamber of deputies, and Clement Armand Fallières, president of the senate. The election took place without any disturbance at Versailles on January 17 and resulted in the choice of M. Fallières by a vote of 449 to 371. The president-elect, who is described as being much like M. Loubet and who enjoys a high reputation for good judgment, tact and probity, was formally inaugurated on February 18, and retained the Rouvier ministry without change. The Briand bill (see last RECORD, p. 765) defining the conditions of the separation of church and state and fixing the new régime under which the religious bodies are henceforth to enjoy an independent existence, was passed by the Senate on December 6 without amendment. The taking of inventories of church property required by the law met with great opposi-

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tion in some of the provinces and even in Paris. At the church of Ste. Clothilde in Paris the officials, although assisted by the police and even by troops, were violently resisted by a mob of parishioners; and many persons on both sides were injured. Similar scenes occurred on the following day at the fashionable church of St. Pierre-du-Gros Caillou. Among those resisting were General Baron Rebillot, the Marquise de MacMahon, Baroness Reille and the Abbé Mayol de Lupé. At Saint Sigolène in the department of Haute Loire later in the month the threatening attitude of a crowd armed with scythes and red-hot bars of iron prevented the officials from performing their duty. Serious rioting occurred early in March in several of the provincial towns; at Boeschope, near Dunkirk, a manifestant was shot dead and the government commissioner was wounded.—One result of the religious troubles was the downfall of the Rouvier ministry. Although the senatorial elections early in January had been favorable to the ministry, a debate on March 7 in the Chamber of Deputies resulted in an unexpected combination against the government, and it was defeated by a vote of 267 to 234. M. Rouvier at once resigned. His resignation came at a critical time in the Algeciras negotiations and there was considerable anxiety lest Germany might take advantage of the crisis. After some delay a new ministry was formed by M. Sarrien. Among those who accepted positions under him were M. Clemençau, minister of the interior, M. Bourgeois, minister of foreign affairs, M. Etienne, minister of war, and M. Briand, minister of public instruction and worship. The new ministry decided to follow the foreign policy of its predecessor and to enforce the Separation law, although M. Sarrien announced that he did not believe that the counting of church candlesticks was worth a single human life.—The deficit for the present year is estimated at $11,400,000. M. Fallières was succeeded as president of the Senate by M. Antonin Dubost. On March 10 the most terrible mining disaster on record occurred in the Courrières district of Pas-de-Calais; about 1100 persons are reported to have lost their lives. As a protest against the management of the mines a miners' strike involving on March 16 about 30,000 men took place. The strike spread to other lines of work; dynamite outrages occurred at various places, and apprehensions of a general uprising on May 1 led the government to adopt repressive measures.

GERMANY.—The imperial Reichstag was opened by the emperor on November 28. In his speech the emperor welcomed Japan into the ranks of the great powers, expressed sympathy with the Russians in rearranging their domestic affairs, complained that there was a continued misconception abroad concerning Germany's intentions and stated that, although arrangements had been made for a Moroccan conference, the signs of the times were such that the nation must strengthen its defences and particularly its navy. The imperial estimates for the year were $600,000,000. To increase the revenue it was proposed to levy death duties on inheritances on a scale ranging from 4 per cent to 20 per cent in accordance with the degree of

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relationship of the heir and the value of the inheritance. Another proposal was for increased customs duties on imported beer and tobacco. A bill for prolonging the provisional commercial agreement with England passed the Reichstag on December 15, and on February 22 a measure granting most-favored-nation tariff rates to the United States until June 30, 1907, was also passed. On March 6 the appropriations committee approved a measure authorizing the construction of six additional armored cruisers and the increasing to 18,000 tons displacement of two battleships which were about to be laid down. This change in tonnage was due to the launching in England of the monster battleship "Dreadnought." On March 30 the Reichstag approved the emperor's long contemplated project of raising the colonial bureau of the foreign office to a ministry of the colonies. A bill providing for the payment of the members of the Reichstag was approved by the Federal Council in April, and was then submitted to the Reichstag.—The Prussian Diet was reopened on December 5. The royal speech was read by Prince Bülow. Among the legislative proposals which he announced would be submitted were bills for raising the house-rent allowance for the lower classes of officials, for railway extension, for a more equitable distribution of the income tax, for settling the maintenance of national schools and for a partial redistribution of seats in the Diet. The most remarkable feature of the speech was a concluding exhortation to the German element in the Polish districts to be mindful of their national obligations and not allow land to pass from German into Polish hands.—During the winter there was considerable agitation in various parts of the empire, particularly in Prussia, Bavaria, Saxony and Baden, for electoral reform. On January 21 ninety-three meetings for protesting against the injustice of the three-class electoral system, which in Prussia practically disfranchises about 1,750,000 Social Democrats, were held in and about Berlin. At Hamburg a bill to limit further the suffrage provoked a serious riot but the bill was nevertheless passed by the Bürgerschaft.—Other German events of some importance have been the appointment of Lieutenant-General Count von Moltke, nephew of the celebrated field-marshall, as chief of the general staff; the decision of Berlin and eight suburban towns to own and operate the street railways; and the publication of the results of the new census, which showed a population of 60,605,183, a net increase of 4,238,005 since 1900.

AUSTRIA-HUNGARY.—As a result of popular demonstrations in favor of universal suffrage Baron Gautsch, the Austrian premier, on November 11 stated that the government was preparing a franchise reform bill "on a modern basis and such as to satisfy the needs of the times." The Reichsrath reassembled on November 28, and Baron Gautsch announced that as soon as the house had disposed of certain pressing measures such a bill would be introduced. On the same day demonstrations in favor of the movement, in which from 200,000 to 300,000 persons participated, took

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place in Vienna and smaller meetings occurred in other towns. On February 23 Baron Gautsch introduced a bill sweeping away the curia system and placing all elections on the same footing except where racial considerations necessitated a special arrangement. The number of seats were to be increased from 425 to 455. Every male citizen who has completed his twenty-fourth year and is not under legal disabilities is to be allowed to vote after residing one year in the electoral district. The bill met with much opposition from the Pan-Germans, who realized that it would decrease their influence; opposition to it was particularly strong in the upper chamber.—The Hungarian premier, Baron Fejervary, on October 29 announced a program including a large extension of the suffrage and numerous other progressive measures. The obstruction tactics of the Coalition were continued; and on December 20, finding himself practically powerless to accomplish anything, the premier tendered his resignation, but the king refused to receive it. Early in January the government undertook on its own responsibility to countersign the royal ratification of the commercial treaties with Austria, which all parties in Hungary admitted were indispensable, but which the parliamentary majority was not prepared to sanction. Early in February futile interviews occurred between the Coalition leaders and the king. On February 19, because the opposition refused to take office but persistently blocked legislation, a royal rescript dissolving the Parliament was read by a military officer representing General Nyiri, the royal commissioner. As threats had been made that the order would be disobeyed, troops were on hand to enforce it. A reaction in favor of the government now set in, and aggressive measures were adopted against the Coalition. As a result, that party modified its demands and on April 6 consented to a compromise. Premier Fejervary thereupon resigned and Alexander Wekerle undertook the formation of a new ministry composed of leaders of the Coalition.

ITALY.—One of the first bills introduced in the Chamber of Deputies when that body reassembled on November 28 provided for relieving the distress in Calabria by constructing railways and roads. A new *modus vivendi* with Spain, to take the place of that of 1892, was announced soon after; but, partly because it made no reserve in favor of Italian wines and partly because of mere obstruction, the arrangement was on December 16 rejected by the Chamber by a vote of 277 to 144. Signor Fortis thereupon tendered his resignation, but the king reserved his decision and ultimately prevailed upon the premier to form a new ministry, the composition of which leaned decidedly to the Left. The reconstructed ministry was, however, accused of having strong clerical sympathies; and, for this and other reasons, on February 1, after a long and violent debate over the government's program, a vote of confidence was lost by 221 to 188. Fortis again tendered his resignation; it was accepted, and Baron Sidney Sonnino, the eminent minister of finance under Crispi, formed a ministry, in which Count Guicciardini took the department of foreign affairs and Signor Luz-

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zatti, the former premier, the department of the treasury. The new premier began his administration by issuing orders allowing complete freedom of the press.—The first passenger train passed through the Simplon tunnel on January 25.—Early in April occurred an eruption of Vesuvius which is reported to have been one of the most violent since the time of the destruction of Pompeii and Herculaneum. Many villages and towns were destroyed, many hundreds of persons lost their lives, and a number estimated at 150,000 were forced to flee from their homes.—On December 11 the pope held a secret consistory and announced his intention of creating four new cardinals.

RUSSIA.—On October 21 an organized strike for political purposes began on the Russian railways, and the railway employees were joined by vast numbers of industrial workers until it was estimated that over one million men were engaged in the movement. Although the czar on October 30 (see last RECORD, p. 769) issued a new charter of liberties and called Count Witte to the head of a responsible ministry, these concessions did not satisfy the strikers. They demanded "the immediate convocation of a constituent assembly elected by the universal, equal and direct suffrages of all adult citizens, without distinction of creed or nationality, and the provision of all guarantees of civic freedom." Anarchy reigned over the whole country. At Odessa more than five thousand people are said to have been killed or wounded, while terrible riots occurred at Kazan, Tiflis and elsewhere. At Kieff, Kishineff, Rostoff, Kherson and other towns horrible massacres of the Jews took place, unchecked by the authorities and perhaps in some cases even instigated by them for reactionary purposes. On November 9 a mutiny broke out among the sailors at Kronstadt, and a few days later another among both sailors and soldiers at Vladivostok, but both were suppressed. Commotions in Poland looking to the restoration of independence led to the proclamation of martial law in that country. On November 20 the strike was ended by order of the Central Labor Committee, but the workingmen were urged to further the revolutionary propaganda and to prepare themselves for "the last general encounter of all Russia with bloody monarchy now living in its last days." On November 19 a Zemstvo congress met at Moscow and on November 23 it passed a resolution demanding universal direct suffrage and the calling of a constituent assembly. The congress displayed a lack of confidence in the Witte ministry and advised Zemstvo representatives not to accept office under it.—The revolutionary movement now entered upon its most acute phase. On November 24 a combined strike and mutiny began at Sebastopol. The revolutionists captured the city, shot Admiral Pisarevsky and for some days controlled affairs almost completely. The government, however, dispatched overwhelming forces to the seat of the trouble; the rebel trenches were stormed; the ships were retaken; and many of the rebels were executed. Less important outbreaks occurred about the same

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time at Kronstadt, Vladivostok and elsewhere. In December Lithuania and other regions around the Baltic were in open revolt; the Caucasus was in a flame of revolution; an outbreak occurred at Irkutsk; a new strike began; assassinations and attempted assassinations were everywhere common. One of the chief struggles took place in Moscow. For several days the rebels controlled a large part of the city; but after frightful barricade fighting, in which hundreds of men, women and children are reported to have lost their lives, order was gradually restored.—With the triumph of the government it was prophesied that a policy of thoroughgoing reaction would set in and that, temporarily at least, the concessions would go for naught. But, though thousands of arrests were made and hundreds of revolutionists were put to death, the czar did not give up the idea of convoking an assembly. On December 26 a more liberal electoral law was promulgated, which granted the suffrage to workmen in factories and mills, to every owner of real estate paying taxes, to persons conducting independent enterprises, such as shopkeepers, and to other classes. At the same time it was announced that the question of universal suffrage would be left to the Duma. Early in January registration for the election began. Charges were made that the minister of the interior, Durnovo, was seeking to control the election in the interests of reaction by arresting popular leaders and by repressing political assemblages; for this and other reasons the Revolutionary Socialists refused to register, but later changed their attitude. To make possible a full registration, the time originally granted was extended.—On March 5 an imperial manifesto elaborated the plan for the new assembly. Both the Duma and the Council of Empire, which latter will consist in future of an equal number of elected members and of members nominated by the czar, will be convoked and prorogued annually by imperial ukase. Each will have equal legislative powers and can exercise the same initiative in introducing bills and the same right of addressing questions to ministers. Every measure passed by the two must be sanctioned by the czar and, as was announced some weeks later, must be published by the Senate. If during the suspension of the sittings of the Duma extraordinary circumstances shall arise that call for legislative action, the council of ministers may lay the matter before the czar for immediate decision. Such matter must not, however, involve any change in the fundamental laws of the empire, the regulations governing the proceedings of the Council of the Empire and the Duma or the regulations regarding the proceedings or the election of these bodies; and such a measure lapses if not embodied in an act within two months after the assembling of the Duma.—Ukases published simultaneously with the manifesto promulgated the laws relating to the new constitutions of the Council of the Empire and of the Duma. The elective members of the Council will hold office for nine years, a third of the number being elected every three years. Each assembly of the Zemstvo of each government will

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elect one member. Six members will be returned by the Synod of the orthodox church, six by the representatives of the Academy of Sciences and the universities, twelve by the representatives of the chamber of commerce and of industry, eighteen by the representatives of the nobility and six by the representatives of the landed proprietors of Poland, assembled in congress at Warsaw. The congress of the representatives of the Academy of Sciences, the nobility and the commercial and industrial communities, for the election of their members to the Council of Empire, will meet in St. Petersburg. In those provinces of European Russia which have no Zemstvo, a congress of the representatives of the landed proprietors will assemble in the chief town of their province to elect one member for each province to the Council of Empire.—All members of the Council must have attained their fortieth year and must have an academic degree. The president and vice-president will be appointed by the czar. The elective members of the Council will receive an honorarium of twenty-five rubles a day during the session. The sittings of both the Duma and of the Council of the Empire will be made public. Ministers will be eligible for the Duma and, in the capacity of elected members, qualified to vote.—Laws voted by the two houses will be submitted for the imperial sanction. The members of both bodies will have the privilege of personal immunity during the session and will be liable for arrest only with the consent of the body to which they belong, except for certain flagrant offences, or offences committed in the exercise of their duties.—Despite the use of the most outrageous methods by the reactionists, the elections to the Duma resulted in a sweeping victory for the Constitutional Democrats.—The first session of the Parliament will be held May 10.—On November 17 a manifesto was issued to the effect that the payments made by peasants for the use of lands would be reduced by one-half from January 1, 1906, and that they would be entirely abolished from January 14, 1907.—In Finland, as a result of a more or less passive rebellion which suspended all communication and paralyzed business, the czar on November 4 repealed many harsh ordinances, admitted the responsibility of the secretary of state to the Diet, convened a special session of the Diet to prepare laws granting freedom of speech, of the press, of public meeting and of association, and for the establishment of a national assembly based on universal suffrage. Prince Obolensky resigned the governor-generalcy, and on November 30 a constitutional senate was appointed.

MINOR EUROPEAN STATES.—The vote on the question of offering the **Norwegian** throne to Prince Charles of Denmark (see last RECORD. p. 772) was taken on November 13, and the question was decided in the affirmative by 259,936 to 67,554. On November 26 the Storthing elected him unanimously. Prince Charles accepted the throne thus tendered, chose the name of Haakon VII, and on November 25, with his wife, the Princess Maud, daughter of Edward VII, and their little son, made his entry into

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Christiania. Two days later he took the oath of office.—A new **Swedish** ministry, the first on purely liberal parliamentary lines in the history of the country, took office on November 7. The Parliament was opened on January 15. In his speech from the throne the king informed the Riksdag that bills would be presented during the session for extending the franchise for elections to the second chamber, for remodeling the system of defence, for reorganizing the diplomatic and consular service and for improving the condition of the working classes. The electoral measure, as later elaborated, provides for what is practically manhood suffrage and for a new delimitation of electoral districts every nine years. 65 of the members of the Riksdag are to be returned from the towns and 165 from the country.—King Christian IX of **Denmark**, died suddenly on January 29 at the age of 88 years. His death caused universal regret among his subjects and threw most of the European courts into mourning. On January 30 his son was proclaimed as Frederick VIII.—M. Forrer of the Radical Left was elected president of the **Swiss Confederation** in December.—On December 1 Señor Rios, the **Spanish** premier, found it necessary to tender his resignation, and Señor Moret was entrusted with the task of forming a new ministry. Serious disturbances took place at Barcelona in the course of the winter, and the constitutional guaranties were for a time suspended. In February the betrothal of King Alfonso to Princess Victoria Eugenie, daughter of Prince Henry of Battenberg, was announced. The princess, who was a Protestant, has changed her religion.—The **Portuguese** premier, Senhor Luciano de Castro, reconstructed his ministry in December. In opening the Cortes on February 1 King Carlos announced that the government would soon submit a commercial treaty with Switzerland and said that similar treaties were pending with France, Germany, Great Britain and Italy. He also urged the development and extension of certain colonial railways. In March a new ministry was formed by Senhor Hintze Ribeiro.—Early in November Prince Nicholas of **Montenegro** issued a manifesto announcing the establishment of a representative assembly. The elections were held on November 27 and the assembly met on December 16. In a speech from the throne on the 18th the prince proclaimed a liberal constitution and declared a constitutional monarchy.—In **Greece** the Ralli ministry resigned late in December, and a new one was formed by M. Theotokis. The elections on April 8 resulted in the return of 120 Theotokists, 42 Rallists, seven Zaimists and eight independents.—A new ministry under Sava Grouitch took office in **Servia** on March 13.—Despite the concession by the sultan of Turkey of an international board of financial control, **Macedonia** has continued to be the scene of frequent disturbances.—In November the insurgents in **Crete** were called upon to give up their arms, and many did so. On the 24th Prince George issued a proclamation of amnesty.

VI. ASIA AND AFRICA.

The revolt of the Arabs in **Yemen** still continues. The Turkish troops

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have suffered several reverses.—As a result of protests by a thousand merchants and mullahs, the shah of **Persia** promised to establish a representative assembly. The assembly is to be elected by mullahs, merchants and landowners, and is to be under the presidency of the shah. It will be called "the House of Justice," and will possess both legislative and administrative powers. Equality for all under the law is to be proclaimed and all favoritism is to be abolished. Early in April about twenty foreigners, mostly Armenians, were killed in an anti-foreign outbreak at Meshed.—The Prince and Princess of Wales landed at Bombay on November 9 and began an extended tour through **India**. Lord Minto, the new viceroy, reached Bombay on December 18. The decision announced by John Morley, secretary of state for India, upon the questions at issue between Lord Kitchener and the civil government was on the whole, favorable to the former.—In **China** numerous anti-foreign outbreaks (see INTERNATIONAL RELATIONS, *supra*) have occurred, and there have been many signs of a spirit of "China for the Chinese." Considerable progress has been made toward establishing and drilling a modern army. Toward the end of the year two commissions left China for the purpose of studying the political, social and industrial institutions of the United States and Europe.—On November 18 the **Korean** government acceded to the Japanese demand that the diplomatic affairs of Korea should be transferred to Tokio, that a resident-general should reside at Seoul, and that Japanese garrisons should be established at important places. In December Marquis Ito was appointed first resident-general.—On December 21 Marquis Yamagata was named president of the **Japanese** privy council. The Katsura ministry, which had become unpopular as a result of the Peace of Portsmouth and of the harsh measures taken by it to suppress dissatisfaction, resigned early in January, and a Constitutionalist ministry was formed by Marquis Saionji. A famine has caused great distress in some districts, particularly in the north, and contributions of food and money have been forwarded from foreign countries. On March 16 a bill for the nationalization of all railways in private hands passed the House of Representatives. The cost is estimated at $250,000,000. The price paid is to be twenty times the average yearly profits of the three years preceding the begining of the war.—It was announced in March that the **Egyptian** revenue for 1905 was £14,813,346, that the surplus was £2,688,524 and that the debt had been reduced by £4,791,460.—The new railway between Fort Sudan and Berber was inaugurated on January 27 by Lord Cromar, who announced other important works for the opening up of the **Sudan**. In February an uprising took place at Sokoto and several Englishmen and native troops were killed. A punitive expedition in March defeated the rebels with great slaughter.—A native uprising broke out in **Natal** on February 8. After some fighting several of the ringleaders were captured and were condemned to death, but before they were executed the home government interfered and ordered that their execution be postponed until an in-

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vestigation had been made. As a protest against this interference, the Natal cabinet resigned; the home government then withdrew its objections, and the cabinet once more took office. The revolt has not yet been entirely put down.—Soon after the Liberal ministry came into power in England Lord Elgin, the colonial secretary, ordered a suspension of the introduction of Chinese for labor in the mines of the **Transvaal** until the people of the colony should decide the question for themselves. Not long afterward it was announced that the colony was to be granted responsible government. This policy on the part of the home government caused much rejoicing among the Boers, but aroused much apprehension and antagonism among the mine owners. The South African compensation committee has completed its work of examining into the claims for losses sustained in the Boer war and has awarded the sum of $47,500,000 for the settlement of these claims.—The revolt of the **Hereros** in German Southwest Africa still continues. The Germans have gained some minor successes but have been unable to capture all the rebels. By March 19 the cost of the war was about $150,000,000.

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